

1 STATE OF TENNESSEE
2 TENNESSEE EMERGENCY COMMUNICATIONS BOARD
3 DEPARTMENT OF COMMERCE AND INSURANCE
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10 TRANSCRIPT OF THE PROCEEDINGS

11 October 25, 2007
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21 Cannon & Stacy
22 Court Reporters
23 117 Arrowhead Drive
Hendersonville, Tennessee 37075
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25 Reported by: Denise Harwood-Stacy

1 APPEARANCES:

2

Board Members Present:

3

Mr. Randy Porter, Chair

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Mr. Ike Lowry, Vice Chair

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Mr. Charles Bilbrey, Member

6

Ms. Katrina Cobb, Member

7

Ms. Carolann Mason, Member

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Mr. Freddie Rich, Member

9

Mr. Steve Smith, Member

10

Board Members Not Present:

11

Honorable Tom Beehan, Member

12

Staff Members Present:

13

Ms. Lynn Questell

14

Executive Director

15

Mr. James Barnes

16

Accounting Manager

17

Mr. Rex Hollaway

18

Technical Services Director

19

Mr. Robert McLeod

20

Director of Audits

21

Ms. Carolyn Reed

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Board Attorney

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Ms. Vanessa D. Williams

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Assistant

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1 CHAIR PORTER: Okay. We'll go ahead
2 and get started. This is the October 25th, 2007, meeting of
3 the Tennessee Emergency Communications Board. I'd like to
4 welcome each one here this morning and say good morning. I
5 hope you had a good trip in. We have a middle-size agenda
6 today. We should be out by lunch, if everything works right.

7 Let the record show that all the
8 members are present except for Mr. Tom Beehan. We have a
9 quorum, and we'll get started with our agenda.

10 The first item on the agenda is the
11 report of our executive director.

12 Lynn?

13 MS. QUESTELL: Thank you,
14 Mr. Chairman.

15 I'd first like to report on the status
16 of wireless carrier VoIP deployment. T-Mobile has asked for
17 another extension to complete their Phase II activation for a
18 build-out that they're doing in East Tennessee, and Staff is
19 researching their request, presently.

20 There haven't been any other
21 significant changes in the wireless carrier deployment since
22 the last meeting.

23 The following carriers are offering
24 Phase II service throughout their services areas -- Advantage,
25 Alltel, Cingular -- which is AT&T Wireless now -- ClearTalk,

1 Cricket, Eloqui -- which merged with U.S. Cellular --
2 Sprint/Nextel, T-Mobile, Triton, U.S. Cellular, Verizon, and
3 Yorkville -- which is doing business as West Kentucky
4 Networks, Inc.

5 Rex Hollaway, our director of E-911
6 Technical Services, is continuing to monitor VoIP deployment
7 to ensure that calls are being delivered over the 911 trunks
8 and to determine whether the physical addresses are correct.

9 We have two misroutes to report since
10 the last meeting. Coffee County reported receiving an
11 improperly routed 911 call from Nashville on a T-Mobile
12 handset. T-Mobile was notified. And we have heard of no more
13 misroutes for Coffee County since then.

14 Gibson County also reported a VoIP
15 misroute -- Level 3. And Level 3 was notified to correct the
16 problem. And we heard of no other continued problems there.

17 In technical issues, Claiborne County
18 recently reported that a third-grade child placed eight to ten
19 911 calls from their school on an un-initialized phone. And
20 thanks to Phase II technology, the phone location kept going
21 to the location around the school on their GeoConex map. And
22 Roger Hager called the school principal, who located the child
23 within a very short time. And Roger reports that the mother
24 brought the child to the PSAP and Roger educated the child
25 on --

1 (Laughter)

2 MS. QUESTELL: -- proper use of the
3 phone and of 911.

4 I would have liked to have watched
5 that.

6 On the status of the \$150,000
7 Essential Equipment Reimbursement Program, as of October 10th,
8 77 districts have either been paid or are in the process of
9 being reimbursed for requests totaling over \$8 million under
10 this program. Twenty-three districts have requested the
11 maximum amount of \$150,000. Eight more of them have -- eight
12 more have less than 10,000 remaining on their allocation.
13 Twenty-three districts have not initiated any action toward
14 requesting any of the \$150,000 that's available to each of
15 them.

16 I'm just going to read to you the
17 names of them just in case they're not aware they are eligible
18 for this. That would be Anderson, Benton, Brentwood, Cannon,
19 Chester, Clinton, Cocke, Cumberland, Davidson, Grundy,
20 Hamblen, Haywood, Lake, Marion, Marshall, Morgan, Oak Ridge,
21 Robertson, Scott, Shelby, Smith, Trousdale, and White County
22 ECDs.

23 On the status of the \$14 million
24 Operational Funding Program, I did want to kind of do a word
25 of caution here for districts that were receiving the Rural

1 Dispatcher Grant that was phased out to make room for this
2 program. If you want to continue contributing your funds to
3 counties or local dispatching entities, as you did under the
4 Rural Dispatcher Grant, remember that you have to have an
5 interlocal agreement with the entity that you're contributing
6 to, to comply with the law. The law says any money that the
7 district receives has to be used exclusively in the operation
8 of the district.

9 You can define the operation of the
10 district to include those dispatching operations through an
11 interlocal agreement, and that will keep you right with the
12 law -- which is where we all want to be. We have -- Staff has
13 drafted up a form that you can use to start off your
14 interlocal agreement. And just let us know if you want access
15 to that, and we will be happy to provide it for you.

16 The Tennessee Next Generation 911
17 Project, I am happy to announce that the Office of Information
18 Resources, which is the group that was doing a statewide
19 IP network that we were hoping that our project could ride on
20 their infrastructure, they have finally, this week, issued
21 their RFP for a statewide IP network. The RFP is sufficiently
22 generic that it looks like we will have to review the
23 successful response to know whether that would be robust
24 enough for our purposes.

25 The proposal deadline for RFPs to get

1 in is March 3rd, for the OIR RFP. The award date has been set
2 for April 11th, and that's the time when the proposal will be
3 open. And the contract date is supposed to be June 9th. And
4 we are very near completing our RFP for whatever part of the
5 Next Generation 911, all or part of it, that the Board is
6 going to move forward with.

7 Our petition to the FCC regarding
8 harassing non-initialized 911 phone calls -- I am thrilled to
9 tell you that we have a working draft of the petition that
10 will be filed with the FCC to clarify its order on how to deal
11 with non-initialized phone calls. The non-initialized -- I'm
12 sure you-all know, but just for the record, non-initialized
13 phone calls are phone calls that -- from phones that are no
14 longer affiliated with a carrier, or they can just be 911
15 phones -- that that's all they dial.

16 We are in the process of trying to
17 solicit other state carriers -- interested parties to sign on.
18 We figure the more people that join in with us, the more
19 impact this will have with the FCC.

20 And I do want to commend our general
21 counsel -- Carolyn Reed -- for her efforts in that. This has
22 been a big project. She has condensed, literally, huge FCC
23 orders down into a small brief. And it was really quite an
24 undertaking. We're very appreciative.

25 The Policy Committee -- the first

1 meeting of the Policy Committee will be held on Thursday,
2 December 13th, starting at 11:30. The first topic will be
3 dispatching and dispatcher training. The Commissioner of
4 Commerce and Insurance -- that's the department that our
5 board is administratively attached to -- Leslie Newman --
6 has asked to address that committee. So that should be
7 interesting.

8 Another note, I don't know if you-all
9 have looked around, but this building is disgusting, and they
10 are going to renovate it. They are basically just going to
11 gut it. And chances are very good that we will be temporarily
12 moved out of here. And I say yes. Maybe we'll be moved
13 someplace where there's more parking.

14 NASNA activities -- NASNA is the
15 National Association of State 911 Administrators. I'm a
16 member. It's holding a meeting in Sacramento next week, and
17 we will be soliciting people to join us on our FCC brief on
18 the non-initialized phones. But also an interesting thing is
19 that NASNA has accepted a grant from the U.S. Department of
20 Transportation to develop a state model for deploying the
21 Next Generation 911. And we actually get -- I get free
22 transportation and room and board there -- as part of this
23 grant, so that we can discuss this project. And I have every
24 hope that it will inform and assist us as we deploy our
25 project.

1 TEMA Activities -- Rex continues to
2 enhance our relationship with TEMA through participation in
3 disaster exercises. There are monthly events that he goes to
4 that they practice emergencies.

5 The NENA Critical Issues Forum -- that
6 was in Tampa on October 2nd. And they invited me to serve as
7 a panel member. And I spoke on how we deployed Phase II and
8 pitched what I thought were good ways to go about it. And
9 good ways -- one of the things that I mentioned was how
10 important it is to have a board like this, one where they can
11 actually formulate an intent to do statewide deployment.

12 And it's interesting, we did some
13 research. And the states that don't have a board like this
14 don't have statewide Phase II deployment. I mean, before you
15 do something you have to formulate the intent, and, you know,
16 they're just doing it county by county, and that's how they're
17 deploying it.

18 But anyway, I was really proud to
19 represent Tennessee there. And I think Tennessee really is
20 recognized as a national leader, and that is just so
21 gratifying.

22 Legislation impacting 911 -- on the
23 State level -- and you've probably already heard about some of
24 this -- the General Assembly has a Joint Study Committee on
25 open government that's been meeting to develop recommendations

1 about the Sunshine Law and the Open Records Act. And they've
2 also been talking about how they're going to kind of roll out
3 the ombudsman's office in the comptroller's office.

4 The -- they split into two
5 subcommittees: one for open meetings and one for open
6 records.

7 And the Open Meetings Subcommittee
8 actually had a vote this week and voted to recommend what's
9 been called a "quorum" standard for open meetings. What this
10 would mean, if it actually goes through -- this will be sent
11 to -- this is just a committee. It will be sent to -- this is
12 a subcommittee. It will be sent to a whole committee, and
13 then it will go on from there.

14 So this is not law at this point. But
15 what they are saying is that -- what they're recommending is
16 that members of -- they're going to basically redefine what
17 the term "meeting" means, so that instead of two -- it being
18 illegal -- as it is right now -- for two members of the same
19 body to meet in private and discuss, you know, public
20 business, that they might make decisions on, it would be that
21 if you have less than a quorum, that's okay.

22 Which would really facilitate
23 personnel stuff. I mean, there are some good aspects to this.
24 Because I think all of us -- there are some personnel issues,
25 at least, that are sensitive enough that you don't really want

1 to discuss them in an open meeting.

2 But anyway, that's what they're
3 talking about now.

4 These recommendations will be
5 presented to the full committee for a vote November 27th and
6 28th of this year.

7 On a federal level, the 911
8 Modernization and Public Safety Act of 2007 was adopted by the
9 Subcommittee on Telecommunications and the Internet of the
10 Energy and Commerce Committee on October 10th. And that's
11 going to go before the full committee. This bill is supposed
12 to promote an enhanced public safety by facilitating the rapid
13 deployment of IP-enabled 911 and kind of encouraging a
14 national IP network.

15 The IP-Enabled Voice Communications
16 and Public Safety Act of 2007 -- which the way I look at it,
17 it's basically a companion bill to the House -- to the House
18 bill -- should be going to the Senate for a full vote in the
19 not too distant future, but who knows exactly when.

20 The Tennessee Public Safety Wireless
21 Communications Advisory Board -- this is the Board that was
22 created by executive order at the end of August that was
23 created to -- quote -- oversee the planning, design,
24 development, implementation, and maintenance of a statewide
25 wireless interoperable communications system.

1 We have some questions about that. We
2 are not involved with this. But Rex and I will be meeting
3 with Commissioner Newman and the director of TEMA, who is in
4 charge of this wireless advisory board -- James Bassham --
5 tomorrow. And if anything comes of that I'll let you-all
6 know. But we just have a number of questions we wanted to get
7 answered.

8 The Telecommunications and Emerging
9 Technologies Committee of the Tennessee County Services
10 Association -- the County Services Association created a new
11 committee called the Telecommunications and Emerging
12 Technologies Committee. Its mission statement is to examine
13 the impact of telecommunication changes and emerging
14 technologies on county government operations and potential
15 revenue streams.

16 So this is a bunch of -- mostly
17 county mayors and county commissioners, but there are some
18 transportation people on it, too. I was invited to speak to
19 this committee. Which I did on October 10. And I basically
20 explained to them about the Next Generation 911 project.

21 The Broadband Task Force -- Rex is a
22 member of that. It is continuing to meet in an effort to
23 foster a cooperative effort among all broadband providers to
24 reach every area of Tennessee and not just the urban areas.
25 And it is scheduled to meet in November. And we'll report on

1 that at our next meeting.

2 That's all I have.

3 CHAIR PORTER: Does anyone have any
4 questions of Lynn on her update items?

5 (Pause)

6 CHAIR PORTER: Thank you, Lynn.

7 We'll move into our action items.

8 The first item is consider requiring
9 all cost recovery agreements with carriers to include
10 provisions consenting to biennial attestations engagements and
11 authorizing the termination of such agreements lacking this
12 provision.

13 Let's talk about that. Would you
14 explain it a little bit?

15 MS. QUESTELL: Yes, Mr. Chairman.

16 For wireless carriers to get cost
17 recovery, they have to enter into a written memorandum of
18 understanding with the Board that sets the terms of what the
19 Board will reimburse them for. And in 2005 -- with help from
20 Mr. Bilbrey -- we developed a new paragraph that was added to
21 this agreement which calls for a biennial attestation
22 engagement.

23 And what this is, it means that every
24 two years -- that's the biennial part -- at my request, we can
25 ask the auditors, who are already auditing the carriers and

1 are required by the Securities and Exchange Commission to go
2 in and look at the carrier's books to ensure that they are
3 complying with our laws -- complying with the remittance
4 procedures and complying with -- what they're spending their
5 money on, on cost recovery.

6 So getting this information helps
7 Staff to determine whether the cost recovery funds are being
8 expended lawfully and whether the remittances are being
9 calculated properly. Part of this agreement is that the Board
10 would pay for this review, but it would be a lot less
11 expensive than -- you know, I mean, the auditors are already
12 in there doing it anyway. So we think that this is a really
13 good way to monitor what's going on with -- with the carriers.

14 And when we have -- how we implemented
15 this is that when the carriers want to amend their memorandum
16 of understanding -- or MOU -- we stick this in. And they've
17 been very, very cooperative about agreeing to this and
18 agreeing to the -- to go ahead with the biennial attestation
19 engagement.

20 But rather than to continue to just
21 wait for the carriers to -- you know, to decide that they want
22 to amend their agreement for some reason, we would like the
23 Board's permission to move ahead with this in a little bit
24 more directed manner by giving us permission to actually reach
25 out and ask the carriers to add this provision into the

1 agreement. And staff wants to do -- Staff wants to do this in
2 a very organized way so that it won't interfere with our other
3 tasks, but we would like the Board to -- to allow termination
4 of the agreement if anyone does refuse to add this provision
5 into their agreement.

6 I want to emphasize this is not a
7 punitive measure. The carriers that we have asked about this
8 provision have been very cooperative. We've never had a
9 carrier refuse. We'd just like to implement this a little
10 more quickly, is all.

11 So what we're asking is that the Board
12 require all carriers receiving cost recovery to consent to
13 amending their agreements for reimbursement to include this
14 standard biennial attestation engagement provision, after
15 being contacted by the Staff, and authorize Staff to terminate
16 the cost recovery agreement if carriers do not consent to
17 adding this.

18 But we want the agreement to remain in
19 effect as we do this in a very organized and methodical
20 fashion. We're not trying to halt anything. We'll just, one
21 at a time, contact the carrier and ask -- ask to have this be
22 added and -- and move ahead in that way. We don't want
23 anything to be terminated before we're ready to -- to ask them
24 and proceed with this procedure.

25 CHAIR PORTER: You've heard the

1 request from Staff. What's the will of the Board?

2 MEMBER SMITH: Mr. Chairman, I would
3 move to approve the Staff's recommendation.

4 MEMBER COBB: I second.

5 CHAIR PORTER: I have a motion by
6 Mr. Smith and a second by Ms. Cobb that we approve Staff's
7 request. Any discussion or questions?

8 MEMBER BILBREY: Randy, one -- I guess
9 statement more than anything else, this is sort of a
10 negotiating type process that we're going to, not demanding or
11 anything, but we will -- according to the contract we have the
12 right to do a convenience option or cancel the contract. So,
13 we're not doing anything out of the ordinary here, is what I'm
14 saying, that can't be done or shouldn't be done.

15 CHAIR PORTER: Charles has been a big
16 help with this, and we appreciate him working with us getting
17 it the way it should be.

18 MEMBER SMITH: Just briefly. If I
19 recall our last board meeting, we took some time to hear from
20 Allen Muse regarding discussion in terms of cost recovery
21 being for 911 services and not obtaining cost recovery for
22 services that the carrier may provide that is not 911 related,
23 and they -- certainly, that's not cost recovery. Does this
24 address -- does this have some relationship to this?

25 MS. QUESTELL: Well, it does in the

1 sense that it gives us an ability to kind of look at how they
2 are actually spending the money. So, it would enable us to
3 have a much better idea whether 911 technology is being used
4 for profit or not. Yes. In that regard, yes.

5 MEMBER SMITH: That's my question. We
6 talked about information provided to us to implement and for
7 operation and maintain and enhance. And I thought I recalled
8 we had some brief discussion -- though we took no action. But
9 that there was some discussion about -- in the last meeting --
10 I think -- about -- some discussion as to the matter of being
11 billed by carriers for services that may not be 911 related on
12 cost recovery.

13 CHAIR PORTER: Rex, you want to --

14 MR. HOLLAWAY: I was just going to
15 say, one of the things that AT&T Mobility is going to do that
16 may be different from other carriers, they have indicated that
17 they would not use the same location technology for --
18 location technology they might market that they use for a 911
19 location. I'm surprised at that, but that was the statement,
20 I believe.

21 MS. REED: And at the last board
22 meeting you-all actually did vote to authorize to discontinue
23 cost recovery to any carrier that was selling the location
24 technology for like -- you know, they have the mapping
25 services and different things that they're now marketing, it's

1 not 911 related, and we determined that -- that they are using
2 technology for which we are providing cost recovery to them
3 for profit and to marketing these other services, that we
4 could discontinue cost recovery. So, it's related, but it's a
5 little bit different.

6 And one other thing that I wanted to
7 clarify is that right now we are able to determine that they
8 are using the funds lawfully. This is not about that we're
9 not able -- they send us receipts right now. You know, we
10 look through this very carefully. It's just that this is a
11 way to have an auditor go in and check all of their books.
12 And especially check the books about the remittances, which,
13 you know, right now we have less control over auditing their
14 books on that.

15 MS. QUESTELL: Well, I would also like
16 to say that as with any kind of disagreement, that if there
17 is some kind of disagreement with regard to any of these
18 provisions or the contract, we're always happy to have
19 carriers come and discuss the issue at an open meeting and let
20 the Board resolve any kind of differences. It just goes
21 without saying.

22 CHAIR PORTER: Other questions or
23 discussion?

24 (Pause)

25 CHAIR PORTER: Hearing none, all in

1 favor of the motion say "aye."

2 THE BOARD: Aye.

3 CHAIR PORTER: All opposed, like sign?

4 (Pause)

5 CHAIR PORTER: Motion carried.

6 Next item is to consider adopting a
7 budget for fiscal year 2008 and 2009.

8 MS. QUESTELL: The budget that we
9 are proposing projects total expenditures of \$51,873,800.
10 Of that, approximately 32 million is budgeted to be disbursed
11 to the districts. That would be approximately \$15 million as
12 the 25 percent payment; about 3 million for grants and
13 reimbursements; 14 million for the operations funding.

14 We've budgeted 16 million for cost
15 recovery and 3 million for Next Generation 911.

16 As far as the cost recovery goes, we
17 budget really cautiously in case we need to handle maximum
18 amounts, and we spent substantially less than that last year
19 on cost recovery.

20 CHAIR PORTER: You heard or saw the
21 proposed budget from Staff. What's the will of the Board?

22 MEMBER LOWRY: I move we adopt.

23 CHAIR PORTER: I have a motion. Do I
24 have a second?

25 MEMBER MASON: I second.

1 CHAIR PORTER: I have a motion by
2 Mr. Lowry and a second by Ms. Mason that we approve the 2008
3 and 2009 budget. Are there questions or discussion?

4 (Pause)

5 CHAIR PORTER: Hearing none, all in
6 favor of the motion say "aye."

7 THE BOARD: Aye.

8 CHAIR PORTER: All opposed, like sign?

9 (Pause)

10 CHAIR PORTER: Motion carries.

11 The next item is to consider
12 authorizing staff to obtain new delegated grant authority to
13 continue the GIS Mapping Maintenance Grant Program.

14 Lynn, you want to talk about that?

15 MS. QUESTELL: Yes, Mr. Chairman.

16 For the Board to offer a grant, we
17 have to get a delegated grant of authority -- a DGA -- from
18 the Department of Finance and Administration. And they only
19 come in five-year terms.

20 So the term for our GIS Mapping
21 Maintenance Grant expires on January 14, 2008. It's been five
22 years.

23 We think that this is a really
24 valuable program and it has encouraged districts to maintain
25 their GIS mapping systems, which is going to be even more

1 important to do as the Next Generation 911 project is
2 deployed. And so Staff would ask the Board to allow us to
3 continue this grant under a new DGA.

4 CHAIR PORTER: You've heard the
5 request of the Board -- of the Staff to try to obtain a new
6 GIS Mapping Maintenance Grant Program for another five years.
7 What's the will of the Board?

8 MEMBER LOWRY: I move to adopt.

9 MEMBER RICH: Second.

10 CHAIR PORTER: I have a motion by
11 Mr. Lowry and a second by Mr. Rich that we approve the Staff's
12 request to obtain the new GIS Mapping Maintenance Grant. Any
13 questions or discussion?

14 (Pause)

15 CHAIR PORTER: Hearing none, all in
16 favor say "aye."

17 THE BOARD: Aye.

18 CHAIR PORTER: All opposed, like sign?

19 (Pause)

20 CHAIR PORTER: Motion carried.

21 Now comes the fun part.

22 This one is going to be a little
23 confusing, but we'll wade through it. Okay?

24 The next item is to consider issues
25 relating to the expiration of the current GIS Mapping

1 Maintenance Grant. And it's in two parts: clarifying the
2 appropriate method to establish final payment under the
3 GIS Mapping Maintenance Grants for seven ECDs subject to the
4 2004 decisions on their eligibility. They are Carter,
5 Fayette, Gibson, Knox, Maury, Washington, and Kingsport.

6 Then, correcting overpayments to six
7 ECDs. Which are Dickson, Giles, Grainger, Loudon, Tipton, and
8 LaFollette.

9 Lynn, do you want to try to explain
10 this one?

11 MS. QUESTELL: I'm taking a deep
12 breath here.

13 Okay. This is going to kind of
14 require kind of a history lesson.

15 As I said, we received our Delegated
16 Grant of Authority off of this grant on January 14th, 2003.
17 When the grant was authorized, it was only authorized as a
18 reimbursement grant. And Anthony Haynes -- the former
19 executive director -- was adamant that that was not how he
20 wanted it done. He wanted to be able to pay districts that
21 were hurting for money on the front end. And so, the Staff
22 went back into negotiations with the Department of Finance and
23 Administration to change the grant so that we wouldn't just be
24 doing reimbursements.

25 During that time, seven districts

1 contacted Staff, and Staff told them we were in negotiations
2 with F&A and that there was really no reason for them to apply
3 for the grant because it wasn't going anywhere until we got
4 the issue straightened out. So, the seven districts did not
5 file their applications based on Staff's comment.

6 Well, now we're trying to figure
7 out -- well, let me go back a little farther then.

8 Realizing that some districts -- these
9 seven districts had postponed applying for the grant, Anthony
10 didn't want them to be shortchanged. So, he took the issue
11 before the Board about their eligibility for the grant --
12 assuming that they met the technical requirements and stuff.
13 And in the July and September 2004 board meetings, the Board
14 deemed these seven districts to be eligible for the grants --
15 assuming that they met the technical requirements -- so that
16 they wouldn't be damaged or shortchanged by the fact that they
17 waited to apply for the grant.

18 Why does that matter when you wait to
19 apply? Well, that's what we're coming up on here. You've got
20 to figure a final payment under the grant when you're closing
21 it out, as we're in the process of doing since the DGA is
22 terminating.

23 How we figure the final payment -- and
24 for most districts it's a really straightforward process -- is
25 we calculate it by using the grant start date, which is

1 usually when you -- when you filed the application -- assuming
2 that you-all met the technical requirements.

3 Well, these districts, they didn't
4 file their application in a timely way. But that wasn't
5 really their fault. And the Board has made a decision about
6 that.

7 So, how are we going to calculate the
8 final payment for these seven?

9 The amounts theoretically available to
10 each district under the GIS Mapping Maintenance Grant would be
11 10,000 per year, for five years. And that would be assuming
12 that everyone applied for the grant on the first day that it
13 was available, which was the 15th of January, 2003 -- assuming
14 they were qualified.

15 CHAIR PORTER: Okay. Wake up
16 everybody. Listen now.

17 MS. QUESTELL: Okay. I'm gathering
18 myself here.

19 All right. To give meaning to the
20 Board's decision about these seven ECDs being eligible for the
21 grant in fiscal year 2003/2004 -- which is what the Board
22 decided -- we recommend that the final payment for Carter,
23 Fayette, Gibson, Kingsport, Knox, Maury, and Washington
24 Counties be calculated based on the following information:

25 First of all, they need to provide

1 written certification of the date that their GIS mapping
2 systems satisfy the grant's technical requirements. Because
3 under the terms of the grant, we can't give anybody any money
4 that didn't actually qualify and meet the technical
5 requirements.

6 And then, we would ask them to
7 document the expenditures for fiscal year 2003/2004 or for the
8 period after they filed their -- okay. Document expenditures
9 for the mapping maintenance in the period before they filed
10 their grant application. So, you would want to show us --
11 provide us with bills -- or whatever -- of what you did
12 expend.

13 Okay. So, let me say this -- to
14 receive reimbursement, each of these districts must provide
15 documentation of its expenditures for GIS mapping maintenance
16 for the period before the start date of their grant, but after
17 they satisfied the technical requirements.

18 Now, here's another question that
19 Staff doesn't have -- Staff recommends that.

20 Staff really doesn't know how to make
21 a recommendation on actually when the start date should be.
22 And that's why you guys get the big bucks.

23 (Laughter)

24 MS. QUESTELL: Just kidding.

25 What we're looking for is, it can

1 either start -- assuming everybody meets the technical
2 requirements -- they could document their expenditures back to
3 January 15th, 2003 -- which is the date that the DGA was
4 approved. And that would permit the districts to receive,
5 theoretically, the full 50,000 available under the grant. Or
6 the Board could start it on July 1, 2003 -- which is the first
7 day of the 2003/2004 fiscal year -- which would permit the
8 districts to receive a total of 45,425 under the grant.

9 We just don't have a recommendation on
10 this. It just depends on how much this Board wants to make
11 available to the districts. The funds are available, if the
12 Board wants to make them eligible for the full 50,000. We're
13 just wanting to give meaning to the Board's decision. And all
14 this would be dependent upon proving they met the technical
15 requirements.

16 CHAIR PORTER: Lynn, I'm going to
17 shorten down this a little bit and summarize it. Make sure
18 I'm correct on this.

19 Is that at no fault of these
20 districts, they were held up on filing the grant because of
21 Staff?

22 MS. QUESTELL: That's correct.

23 CHAIR PORTER: So it's not their fault
24 that they didn't file earlier, right?

25 MS. QUESTELL: That's right.

1 CHAIR PORTER: And every other
2 district had the capability -- or actually the ability to get
3 the full \$50,000, right?

4 MS. QUESTELL: They were all eligible
5 for it, if they met the technical requirement and they
6 applied -- they filed their application.

7 CHAIR PORTER: So, actually, if we
8 didn't go back to the January date to start this, these
9 districts actually would not be getting -- or could not get as
10 much money as the other districts did. Is that right?

11 MS. QUESTELL: Well, what we'd be
12 saying is that they wouldn't have been eligible.

13 CHAIR PORTER: That's right. But at
14 no fault of their own?

15 MS. QUESTELL: Right.

16 CHAIR PORTER: So, does everybody
17 understand kind of where we're at? These districts, right off
18 the bat, once we approved this GIS money, came to us and
19 applied -- wanted to apply. Anthony told them to wait, that
20 he was still arguing with the -- with Finance and
21 Administration. And then that held them up.

22 And so, they were not -- if we don't
23 go back to that January date and we pick another date, they're
24 not going to get -- well, \$5,000 less than everybody else
25 would get.

1 But for us to be able to solve this
2 situation is, we'd have to approve going back to that
3 January 2003 date -- as long as the districts at that time
4 we're technically capable of providing GIS mapping -- and
5 allow them to apply that money back to them. Right?

6 MS. QUESTELL: Yes. As long as they
7 can document the expenditures during that time period, and as
8 long as they can show us they met the technical requirements
9 of the grant.

10 MEMBER RICH: How would you document
11 technical requirements? We can show you -- or they can show
12 you -- we can show you we're up and running, but how would we
13 show you that we were up and running in January 2003?

14 CHAIR PORTER: The two ways I can
15 think of -- one would be a written statement from your GIS
16 mapping provider that did your software that he was installing
17 and working on that day. And another one would be to provide
18 data from your GIS maps. Most of you keep backups. I know
19 I've got them backed from years when we first started GIS --
20 and prove that you had data at that time that met our
21 standards. That would be pretty easy to do.

22 MEMBER BILBREY: Let me ask one
23 question. You have individual grants for each district, with
24 grant authority. Grant authority just gives you the right to
25 write grants.

1 MS. QUESTELL: Correct.

2 MEMBER BILBREY: And you have starting
3 dates for each one of these?

4 MS. QUESTELL: Yes, we do. But
5 because Staff told these districts to hold off on filing, we
6 feel like it was Staff's fault that -- if you have to ascribe
7 fault -- that there was confusion about when they could file
8 their grants. And I've gone back and really studied the
9 transcripts, and they are confusing. Really confusing. And I
10 don't think anyone reading the transcripts would have a good
11 idea of when they actually needed to file their -- or could
12 have filed their grant application.

13 It's very confusing. And I feel that
14 since it is confusing, and since Staff at least contributed to
15 that confusion, that we should take responsibility and make
16 this available -- assuming that they meet the other
17 requirements. I mean, as long as they're meeting the
18 technical requirements, I think that the policy behind this
19 grant is being served, and I really don't see why we wouldn't
20 want to provide that.

21 MEMBER BILBREY: We understand all
22 that. The point is, though, that you've got an instrument for
23 everybody that you pay against. The instrument you have with
24 them is this grant that has a starting date at a different
25 time. So you've got to nullify that individual grant and go

1 back to the start at the appropriate time. And the only thing
2 I see you have to do is to amend each individual grant there
3 to a different starting date and go ahead and do whatever it
4 is you want to do. I think the only thing we have to approve
5 is amending those grants back to the correct starting date.

6 MS. REED: Right. We need something
7 to legally document that we have the authority to do this.
8 That we're not going back retroactively in time and getting
9 them the whole fiscal year -- why did you do it now instead of
10 doing it then --

11 MEMBER BILBREY: Exactly. The thing
12 is you need an instrument to have that grant nullified. So
13 the only thing we need to do is -- I think -- is approve what
14 you're doing or what you're saying -- I guess everybody
15 follows it -- and then go back and amend those individual
16 contracts -- those individual grants back to that start date.

17 MS. REED: I see Jim looking like
18 there's a problem.

19 Here's one thing, I know that in other
20 instances we have -- if this board has voted for us to make a
21 payment, then we don't have to amend a grant authority. We
22 can make the payment based on the vote of this board.

23 MEMBER BILBREY: Right. But you're
24 not following correct procedure, from the State's standpoint,
25 if you do that. We still need an instrument to go through

1 accounts.

2 MR. BARNES: Mr. Bilbrey, it may be
3 very difficult to go back and amend a grant that has been
4 dated and expired.

5 MEMBER BILBREY: The grants have
6 already expired?

7 MR. BARNES: Well, each one is written
8 for an individual year for an individual term, with a
9 beginning date. And if we started changing that beginning
10 date, we'd be going back five years -- almost five years.

11 MEMBER BILBREY: But they haven't
12 expired?

13 MR. BARNES: Each one -- they expire
14 individually at the end of each term of that grant, and we
15 write a new amendment to continue that for another period.

16 MEMBER BILBREY: So, we're dealing
17 with a dead contract at this point?

18 MR. BARNES: Yes. Well, they will all
19 die on January 14th. Yes, sir.

20 MS. REED: And this is not
21 unprecedented. Actually, for some of these very districts
22 when the Board voted back in 2004, one of the votes was to pay
23 them \$10,000 to cover them for that period for which they had
24 not done a grant agreement. So that's how the first payments
25 were even made to some of these districts. So, it's the same

1 concept. It's just the Board voting to say, yes, we think
2 you-all are entitled and we authorize the payment.

3 MEMBER BILBREY: And we need to
4 document all this very carefully outside the contractual
5 process that we're doing this so that there's no
6 misunderstanding.

7 MS. QUESTELL: Absolutely.

8 And let me say this, with the new
9 delegated grant authority going forward, we are going to do
10 our very best to have it equal a five-year period so we're not
11 having one-year grants that you're having to come back and
12 renew. So --

13 MEMBER BILBREY: I thought we had
14 that.

15 CHAIR PORTER: We did, but somehow in
16 the beginning we decided that we'd do it for a year at a time
17 and renew them at the end of each year for another year. And
18 why, I don't understand that.

19 MEMBER BILBREY: That's the option to
20 renew. You have a contract that's established, but you have a
21 five-year option, one year at a time.

22 MS. REED: We have found a way this
23 time to do it to where we just write it one time. We don't
24 have to keep doing the renewal. It's a five-year term for
25 that grant agreement, and it's just got a one-year budget.

1 So they match up the expenditures against the one-year budget,
2 but it's a five-year term.

3 MS. QUESTELL: Let me assure you that
4 we will do everything as much as humanly possible to document
5 this and make sure that it is done in a way that is acceptable
6 to all of the financial people involved.

7 CHAIR PORTER: Okay. You've heard the
8 request of Staff to go back go and fix this problem and go
9 back and make these payments and make them retroactive back to
10 January 15th of 2003. The counties involved -- or districts
11 involved are Carter, Fayette, Gibson, Knox, Maury, Washington,
12 and Kingsport. Is that correct?

13 MS. QUESTELL: Yes.

14 CHAIR PORTER: What's the will of the
15 Board?

16 MEMBER LOWRY: I move that we proceed
17 with the Staff's findings and pay each of these districts the
18 full amount.

19 CHAIR PORTER: Do I have a second?

20 MEMBER COBB: Second.

21 CHAIR PORTER: I have a motion by
22 Mr. Lowry and a second by Ms. Cobb to approve the request. Is
23 there discussion or questions?

24 MEMBER RICH: I abstain to whatever
25 you think is best.

1 MEMBER MASON: I also abstain.

2 CHAIR PORTER: Let the record show
3 that Ms. Mason and Mr. Rich are abstaining because their
4 districts are involved in this decision.

5 Hearing no questions or discussion,
6 all in favor say "aye."

7 THE BOARD: Aye.

8 CHAIR PORTER: All opposed, like sign?

9 (Pause)

10 CHAIR PORTER: Motion carried.

11 That's the good part. The good news.

12 The bad news is the second part to this. We overpaid some
13 districts, so we've got to take some money back.

14 The next part is correcting
15 overpayments to six districts, which are Dickson, Giles,
16 Grainger, Loudon, Tipton, LaFollette, and Sullivan -- no, I'm
17 just kidding --

18 (Laughter)

19 MS. QUESTELL: We also have discovered
20 that LaFollette has not been overpaid. That was an error.
21 LaFollette has not.

22 CHAIR PORTER: Do you want to try to
23 explain this?

24 MS. QUESTELL: Yeah. This will
25 be easier. I'm sorry about that. That was kind of a

1 tongue-twister there.

2 The delegated grant of authority, as
3 we all know, expires on January 14th, 2008. In the spring
4 some districts applied to renew their grant, and they were
5 renewed for a period that extended beyond January 14th, 2008,
6 and they received the full amount of the grant, which went
7 beyond the time period we were authorized to give the grant --
8 the advance payment.

9 We need to correct that. And what
10 Staff proposes is to get the Board authorization to subtract
11 the amount of the overpayment to these five districts from the
12 next payment that they will get under the new delegated grant
13 of authority. And so, they'll still end up with the same
14 amount of money, but our books will be corrected within the
15 same fiscal year, which is necessary for our audit purposes.

16 CHAIR PORTER: You've heard the
17 request of Staff -- and correct that and make that five ECDs
18 instead of six: Dickson, Giles, Grainger, Loudon, and Tipton.
19 And what's the will of the Board?

20 MEMBER COBB: I so move.

21 CHAIR PORTER: I have a motion by
22 Ms. Cobb. Do I have a second?

23 MEMBER RICH: Second.

24 CHAIR PORTER: A second by Mr. Rich.
25 Discussion or questions?

1 (Pause)

2 CHAIR PORTER: Hearing none, all in
3 favor say "aye."

4 THE BOARD: Aye.

5 CHAIR PORTER: All opposed, like sign?

6 (Pause)

7 CHAIR PORTER: Motion carried.

8 The next item is to consider a report
9 from the Operations Advisory Committee.

10 Rex, are you going to do that one?

11 MR. HOLLAWAY: Yes, Mr. Chairman.

12 Let me first see if I'm going to be
13 able to show this little animation here. It might be helpful.
14 While it's possibly warming up here.

15 At the April 11th board meeting in a
16 response to -- a request by Henry County and as a result of
17 some initial evaluations by the Operations Advisory Committee,
18 the committee -- the Operations Advisory Committee came to the
19 state board and recommended that we grant Henry County a
20 temporary waiver -- to grant Henry County a temporary waiver
21 to have a UPS system while they participate in an evaluation
22 of a new product that is a non-battery unit that essentially
23 is supposed to do the same thing that a traditional UPS does.

24 And we've met several times. The
25 system was installed at no cost to the Henry County Emergency

1 Communications District, on July the 10th. And since that
2 time the system has been monitored. It's been monitored by
3 me. And you've also got in your report, there, a copy of an
4 report -- an analytical report that was provided Energy, the
5 company that manufactures this product.

6 Now, let me see if I can get this up
7 here.

8 (Pause)

9 MR. HOLLAWAY: This is going to
10 represent -- I'm hoping it will represent what I'm going to
11 talk about for the next couple of minutes.

12 Essentially the system -- the motor
13 and the generator you see there are on a single shaft. Even
14 though they are represented side by side, it's more for
15 representation purposes if anything. But they're actually on
16 the same shaft.

17 This is the normal operation. You see
18 the engine up at the top. It's a propane driven engine that
19 only engages once a loss of commercial power is sustained for
20 more than 10 or 15 seconds.

21 In a short-term outage, when you lost
22 power for maybe 10 or 15 seconds -- which actually occurred on
23 I believe August the 12th -- the -- the motor continues to
24 turn the generator to such an extent that the engine never has
25 to start. There's a kind of a rotary engine kind of effect

1 that keeps that motor turning for up to 15 seconds. So the
2 load to the PSAP's critical equipment continues to stay the
3 same. So nothing really occurs.

4 Now, in a long power outage -- and
5 they actually had a -- this to occur once during the
6 evaluation period. And then Mark was telling me this a few
7 minutes ago, that he actually had an outage in the last few
8 days due to some of the storms they had up there where the
9 system had to actually engage the engine.

10 So you see the engine starting up, up
11 here. Once the sensor detects that the shaft is not turning
12 at a certain RPM it -- while it still has centrifugal force
13 there, it essentially kick starts that engine. There's no
14 batteries involved in starting that engine.

15 Once the system determines that power
16 has been restored, the engine continues to run for at least
17 ten minutes more to make sure there's not going to be any
18 short bursts or short losses of commercial power.

19 And then also, in a surge situation,
20 the motor is designed in such a way that it will absorb the
21 surges to the commercial power and the generator just
22 continues to turn in its normal RPMs and generates the same
23 power that it generates under normal conditions.

24 And then in the case of a brownout,
25 the same kind of thing happens there. I won't go into the

1 technical explanation, but, essentially, the motor absorbs
2 those brownout effects and the generator continues to turn and
3 generate clean power to the PSAP.

4 Let me just also back up a bit.
5 Mark Archer is here -- is here -- two members of our
6 Operations Advisory Committee, who can probably answers
7 questions as well as I can, certainly the more -- any serious
8 questions here.

9 Also, if you have any questions about
10 the technology, I'd be happy to -- we'd be happy to try to
11 answer them.

12 CHAIR PORTER: Rex, if this machine
13 fails, you still have your backup generator --

14 MR. HOLLAWAY: Right. I think we had
15 some confusion at the very beginning. We are in no way
16 suggesting that anyone ever eliminate their generator. This
17 system is an 8 kilowatts system. It's not really designed to
18 run an entire PSAP. It's really designed to run the critical
19 equipment: the PCs -- those kinds of things.

20 So if you were needing to maintain
21 your environmental: your air conditioning, your heating, and
22 most of your lights -- you're going to need a full-blown
23 generator.

24 So this system is going to engage
25 within 15 seconds. And a lot of occasions the generator is

1 going to engage in 15 seconds. But just in case that
2 generator fails, then we do have this one that can sustain the
3 operations for as long as we propane fuel -- at least for the
4 critical equipment. It might could get warm or cool,
5 depending on whether it's summer or winter. But as far as
6 continuing to receive 911 calls and being able to dispatch,
7 you should be able to do that.

8 CHAIR PORTER: And if this thing
9 fails, does it have to be taken offline, or is there a way for
10 the --

11 MR. HOLLAWAY: They say that it can be
12 maintained online. I don't know if I would want to stick my
13 hand on a moving parts, but they say it can be maintained --
14 and there's also a bypass that allows you to run on generator
15 while that system is being --

16 CHAIR PORTER: Worked on?

17 MR. HOLLAWAY: -- worked on. Yeah.

18 And I also want to mention this -- and
19 this may be the place to do it -- that there's no name of the
20 company here. We're talking about a technology here -- an
21 alternative to traditional battery-type systems. There are
22 other technologies or similar technologies like flywheel
23 driven. There is hydrocell technology that is not a moving
24 part type of function, but it is essentially hydrogen used in
25 lieu of batteries.

1 And so all of these technologies are
2 coming out, essentially, because of the need to look at better
3 ways to provide power without having batteries being dumped
4 every two or three years. I might just remind everybody in
5 this room, in case you don't know, UPS systems -- they don't
6 last forever. If you haven't replaced the batteries in three
7 years, you need to go look at them because they'll probably
8 only going to last five minutes, at best. So this is probably
9 a good time to bring that up.

10 And this certainly has the potential
11 for failure also, just as a UPS does. I've seen UPS systems
12 and battery systems that have failed because of overheating
13 and other defects. So anything that's made by a human being
14 can go wrong. So this is certainly not a perfect system
15 either.

16 CHAIR PORTER: Rex, are you asking us
17 to -- I know we have amended our policy -- to just approve
18 this one system, this one brand? Or are we going to do it for
19 a lot of others?

20 MR. HOLLAWAY: If you look at the
21 recommendation, actually what we're asking to do is to modify
22 the UPS standard requirement so that batteries is removed from
23 that standard. That really opens the door for the -- it opens
24 the door for, really, the hydrocell or this system or -- and
25 so we would just ask that any district that is considering

1 something other than a traditional UPS, that they really just
2 really check it out and make sure that they've got something
3 that is reliable and don't just buy the first thing that comes
4 along. These systems are not going to be cheaper, from what
5 I've seen. So price is not going to be, necessarily, a reason
6 to purchase this kind of system.

7 One of the advantages, though, is that
8 it can be installed outdoors. Several districts have
9 indicated a problem of buying a large one-hour UPS because
10 they just don't have the space. Of course, they generate
11 heat, too, and apart from environmental protection. So, this
12 unit is totally an outdoor unit. It does run all the time, so
13 it does make some noise. So you wouldn't want it inside
14 anyway.

15 So if you look at the Attachment A, it
16 shows -- I've highlighted those standard items that need to be
17 removed or modified. For instance, the two-year on-site
18 warranty, we're asking that that be changed to a one year.
19 Just simply because what ends up happening is, a lot of the --
20 even UPS providers -- only offer a one-year warranty. And
21 what they do is, they just mark the price up to add in a
22 one-year maintenance price. So anybody can do that.

23 We're just saying let's just make it
24 one year. 'Cause a lot of -- what I'm seeing is a lot of
25 folks are buying advanced three- and five-year extended

1 warranties on systems.

2 There's also a note on the automatic
3 bypass or overall protection. This system, today, does not
4 have that functionality, and it will be in place by the end of
5 the year. Which is not too far away.

6 And also, notice the top and bottom
7 table entry. That is designed for a raised floor kind of
8 scenario or indoor kind of scenario, so we're suggesting that
9 that be removed. Since this unit has got to be installed
10 outside, there's not going to be lower and upper table entry
11 because it's a freestanding unit outside.

12 So that's the Operations Advisory
13 Committee's recommendation, that we modify the standard,
14 essentially. Not that we recommend this system, but we modify
15 the standard so that it would accommodate a technology like
16 this.

17 CHAIR PORTER: You heard the report
18 from Rex. Do you have any questions?

19 MEMBER LOWRY: Yeah. What -- or how
20 is it designed to regulate the overload? In other words, if
21 the power goes off, and the PSAP is already designed to be
22 handled by the generator or an UPS -- but if this -- we know
23 this system can't handle the full load of the system. What
24 runs around and turns the lights and the AC off and what have
25 you?

1 MR. HOLLAWAY: Well, what we've
2 found out, and what we explored over in Henry County is --
3 and Mark can probably speak to this better than I can. But --
4 essentially he -- one of the things they found out, they
5 didn't know where the receptacles in the dispatch center were
6 at. They didn't know which breakers controlled what. So they
7 did that first.

8 And so certain receptacles -- as well
9 as certain equipment -- is run through a separate panel box
10 and is wired back to this system. And then everything,
11 essentially, is wired back to the generator. So if at some
12 point -- after a certain amount of time you make a decision
13 that you want to run the power -- the commercial power is
14 going to be gone for a while, you don't want to use the UPS,
15 you want to go ahead and run off the generator, in the bypass
16 switches and the panels you actually control the fact that the
17 generator is now running the entire building and you actually
18 shut the UPS down as the power goes pretty well sufficient
19 without it.

20 Did I answer that question?

21 CHAIR PORTER: The only bad thing
22 about that is that you've got nothing in between your
23 equipment and your generator. Because generators, I've seen
24 them surge and do all kinds of things to the equipment. If
25 you turn this thing off there's nothing in between to keep

1 that from happening like it would with the UPS.

2 MR. HOLLAWAY: And I may have misspoke
3 there. I think this actually still would run. Once the
4 generator did power up -- now, the equipment that is not
5 powered by this, would be run straight off the generator,
6 which would be maybe not as clean of power --

7 CHAIR PORTER: I think that's what Ike
8 was asking. That his lights and his AC is not on this to
9 start with --

10 MR. HOLLAWAY: Right.

11 CHAIR PORTER: -- but if it's only
12 running his computer equipment, PSAP stuff that --

13 MR. HOLLAWAY: It's kind of the same
14 situation. Most people don't buy that UPS so large that they
15 can power everything in their dispatcher center anyway.

16 MEMBER LOWRY: I realize that. But I
17 thought maybe what you indicated that it was kind of limited
18 for its load capacity.

19 MR. HOLLAWAY: Well, it is limited to
20 a 8 KW. So, yeah, it is limited. In Mark's case, he's got a
21 four-position dispatch center, and I believe that he's only
22 using maybe 50 percent, at most, with that 8 KW. 42 percent
23 actually.

24 CHAIR PORTER: Lynn, do you have a
25 question?

1 MS. QUESTELL: I just kind of have a
2 question and a concern. You mentioned changing the technical
3 requirements, which I get. And then you mentioned that it
4 would leave open the idea that there might be other
5 technologies that -- I mean, this is a technology that's been
6 studied extremely carefully, and -- and -- you know, I'm fine
7 with what you-all are recommending, but I want to make sure
8 that if you change the technical requirements that it just
9 doesn't leave a big frontier open of, oh, let's just try
10 anything new.

11 This is a new thing that's been
12 studied carefully. I wouldn't want the technical requirements
13 to just be opened up so that -- so that anything and
14 everything would be okay.

15 You know, I mean --

16 MR. HOLLAWAY: The other requirements
17 are still there. I mean, once you remove the battery,
18 though -- which you have to do to accommodate this technology.
19 I mean, that's where we're opening doors. But you still have
20 your other requirements.

21 And I agree -- I understand what
22 you're saying. But we really can't open this up until we
23 authorize the Durapower. I don't see how we could do that.

24 MS. QUESTELL: Well, could you subject
25 any new technology to similar testing to -- you know --

1 CHAIR PORTER: For them to apply or
2 come --

3 MS. QUESTELL: Yeah.

4 CHAIR PORTER: -- or go through Rex
5 before they do something to make sure that it would be
6 something we would -- you know, we would sign off on.

7 MS. QUESTIONS: Apply to the
8 Operations Committee?

9 MR. HOLLAWAY: Well, I mean, we have
10 the pre-approval on the reimbursements. Now, that's only --
11 only the reimbursements by the ECDs are subject to our
12 reimbursement policies --

13 MS. QUESTELL: No.

14 MR. HOLLAWAY: That's not true. This
15 actually stands for reimbursement.

16 CHAIR PORTER: They could buy it and
17 not even use our money.

18 MR. HOLLAWAY: Yeah.

19 MS. QUESTELL: But we don't want
20 people just putting stuff in that could come back and bite
21 them. You know.

22 MEMBER SMITH: Let me see if I
23 understand. One of the three notes I see pertains to the
24 extended warranty, so regardless of equipment that might be
25 true. So you're just talking about modifying minimum

1 requirements to reducing a two-year warranty to a one-year
2 warranty. So that has really no operational connection.

3 The other items, the issue of the
4 overload and the -- right -- the cables, that seems to be the
5 configuration. I would certainly not profess to be the
6 technical electrical engineering person that would tell you
7 that some way there may be something that's out there that can
8 work around these minimum requirements, but it seems to me
9 that if our original set of minimum requirements were asking
10 to be -- or considering modifying those based on this thorough
11 evaluation from the Operations Advisory Committee, I don't
12 know that I have a concern about it opening the doors.

13 I still think if we're competent in
14 our first minimum standards, and we're competent in these
15 modifications, based on a review of this operating equipment,
16 then I would move to accept the committee's recommendations.

17 CHAIR PORTER: I have a motion. Do I
18 have a second?

19 MEMBER LOWRY: Second.

20 CHAIR PORTER: I've got a motion and a
21 second that we accept the committee's recommendations and make
22 the changes to the minimum requirements for interruptible --
23 un-interruptible power supply requirements.

24 MEMBER BILBREY: Another question.

25 What actually is our responsibility

1 here? Is it not just to set standards?

2 MR. HOLLAWAY: Yeah, to set standards.

3 MEMBER BILBREY: And standards -- you
4 know, many, many different types of equipment can fit into
5 standards. As far as testing, who is responsible for that?

6 MR. HOLLAWAY: I guess -- we have
7 standards for 911 controllers, also. We have a pretty wide
8 arrangement -- you know, button -- mechanical buttons to the
9 latest computerized systems. So we've got a pretty wide range
10 on controllers.

11 Again, that's kind of what we're doing
12 here on the UPS.

13 MEMBER BILBREY: But we can only
14 address standards.

15 Does this -- does this not give us a
16 more competitive process there for one to get to that extreme?

17 MR. HOLLAWAY: Well, it offers more
18 competitors a chance to sell product. I mean, there's a
19 pretty good competitive environment already with a traditional
20 battery.

21 MEMBER BILBREY: This opens it up a
22 little bit farther.

23 MR. HOLLAWAY: Well -- and the main --
24 I think maybe I should point this out. One of the things --
25 one of the reasons, I guess, we're in favor of this, is we see

1 batteries as being a device or an object that is getting
2 harder and harder to dispose of. And so products like this
3 and hydro-cells -- I think they are the wave of the future, as
4 far as being more friendly in terms of environment and our
5 PSAPs.

6 CHAIR PORTER: Other questions?

7 MEMBER BILBREY: I think we just want
8 to make sure what our responsibilities are and where we're
9 going with this.

10 MR. HOLLAWAY: I think, really, the
11 only the thing we're really changing in the standards is we're
12 going to have a -- it's not going to change anything but the
13 idea of the battery. Everything else is pretty much going to
14 stay there. We're not even suggesting that that one item --
15 that Durapower -- we're not saying that should be removed.
16 We're only saying -- I'm sure that Mark's probably going to
17 keep his system, but they will actually update his system when
18 that design is completed.

19 Otherwise, all we're asking is to take
20 some -- more of a physical change to the standard. The bottom
21 table entry, a pricing issue on the two-year warranty. Other
22 than that -- and the batteries -- we're not asking for any
23 other changes to the standards.

24 CHAIR PORTER: Other questions or
25 discussion?

1 (Pause)

2 CHAIR PORTER: Hearing none, all in
3 favor of the motion say "aye."

4 THE BOARD: Aye.

5 CHAIR PORTER: All opposed, like sign?

6 (Pause)

7 CHAIR PORTER: Motion carried.

8 We're deleting Item number 3 on
9 Campbell County. They could not be present today, so that
10 item will be deleted off the agenda.

11 The next item is consider the status
12 of Giles County ECD as a financially distressed district.

13 Will the folks here from Giles County
14 come forward, please.

15 MS. QUESTELL: Well, I'm really
16 delighted to welcome you. This is for a good news item.

17 Giles County was deemed financially
18 distressed during the June 2005 board meeting. And Giles
19 County has asked to appear at this meeting for reconsideration
20 of that decision. It would like to be deemed not financially
21 distressed.

22 At the time it was deemed financially
23 distressed, its rates were increased to the statutory maximum
24 of \$1.50 for residential lines and \$3 for business lines. And
25 that increase, and the District's portion of the \$14 million

1 operations distribution has improved its financial picture
2 sufficiently that it meets the definition of a not financially
3 distressed district.

4 Policy 16 states that districts
5 deemed financially distressed remain subject of the Board's
6 supervision for a period of not less than two years of
7 positive cash flow. And we've examined excerpts from the
8 district's annual audit for fiscal year 2005/2006 and 2000 --
9 and we've seen spreadsheets more recent than that -- and it
10 shows a positive cash flow. And Mike Goode has reported that
11 the district currently has approximately \$28,000 in its
12 checking account and is not in arrears in any debt or
13 obligation.

14 With that said, do you have any
15 comments?

16 CHAIR PORTER: If you would, please
17 state your name and position for the court reporter.

18 MR. GOODE: My name is Mike Goode,
19 Director of Giles County 911.

20 At this time I would like to thank the
21 Board and the Staff for the work they've done with Giles
22 County. And the tariff increases helped a whole lot. The
23 grant was a blessing to all of us, I think -- especially the
24 smaller counties.

25 And -- well, we've been running in the

1 black for over two -- two years now. So, everything is
2 looking good. This is the first year I've got increases from
3 the County and City on their local appropriations since
4 Giles County 911 was established in '95. So maybe we're
5 headed in the right direction with them, too.

6 CHAIR PORTER: Lynn, did you want to
7 make a correction?

8 MS. QUESTELL: Yes, I misspoke. The
9 records -- I said you had 28,000 in your checking account and
10 you have more than that. It's \$288,000.

11 CHAIR PORTER: A little bit of a
12 difference.

13 MS. QUESTELL: A big difference there.
14 Sorry.

15 MR. GOODE: I wasn't going to say
16 anything.

17 CHAIR PORTER: Mike, you-all have
18 done a great job, and I think you should be -- you and your
19 board -- and you should be commended for the job you-all have
20 done to get this thing above ground. I remember when I did
21 the site visit to Giles County -- years ago -- and you-all
22 have come a long way.

23 MR. GOODE: Well, it wouldn't have
24 been possible if it hadn't been for the Board and the Staff
25 here, and the help they've given us. And we do appreciate it.

1 CHAIR PORTER: You-all have done a
2 great job.

3 Now, do we need to take action and
4 vote on this to make them not a financially distressed
5 district?

6 MS. QUESTELL: I think it would be a
7 good way to have the record reflect that.

8 CHAIR PORTER: Okay. So you've heard
9 the request of Staff that we make Giles County not a
10 financially distressed district anymore. What's the will of
11 the Board?

12 MEMBER RICH: I so move.

13 MEMBER MASON: I second.

14 CHAIR PORTER: Mr. Rich. And
15 Ms. Mason is the second. Any questions or discussion?

16 (Pause)

17 CHAIR PORTER: Hearing none, all in
18 favor say "aye."

19 THE BOARD: Aye.

20 CHAIR PORTER: All opposed, like sign?

21 (Pause)

22 CHAIR PORTER: Motion carried.

23 Congratulations, Mike.

24 MR. GOODE: I appreciate it.

25 MS. QUESTELL: Thank you.

1 MR. GOODE: Thank you.

2 CHAIR PORTER: We're on a roll. Let's
3 do another one like that. I like to hear those.

4 The next item on the agenda is to
5 consider the status of Hancock ECD as a financially distressed
6 district.

7 Do we have Hancock County?

8 (Pause)

9 CHAIR PORTER: Come on up, guys.

10 (Pause)

11 CHAIR PORTER: Lynn?

12 MS. QUESTELL: Welcome. Thank you so
13 much for coming. We really appreciate it.

14 This is not quite as good as news, but
15 we do have some good news.

16 Jim Barnes and Rex Hollaway visited
17 Hancock County Emergency Communications District on
18 September 20th, 2007, to evaluate its books and records as
19 part of our supervision of Hancock County Emergency
20 Communications District as a financially distressed district.
21 They were looking for anything that they could do to recommend
22 different ways to conserve funds or provide assistance.

23 The meeting that they attended,
24 Mr. Trent was there, and the Hancock County Director of
25 Finance, Diane Hopkins, was there. And, Jim, are you going to

1 provide a report on that?

2 MR. TRENT: Yes. I'm Mr. Trent. I'm
3 the director of Hancock County E-911. This is Mr. Murray
4 (indicating). This is the county mayor.

5 I do not have a report on that. I
6 think Jim Barnes is --

7 MS. QUESTELL: That's who I was
8 talking to. I'm sorry.

9 MR. TRENT: Wrong Jim.

10 MS. QUESTELL: No problem.

11 MR. BARNES: As Ms. Questell just
12 said, we visited on September the 20th, and the -- Diane
13 Hopkins, Hancock County Director of Finance, and Mr. Jim Trent
14 met with us.

15 We made some notices about the fact
16 that the ECD office is located in the old hospital building on
17 West Main Street. But they plan to relocated, at least, to
18 the old high school building sometime in the near future.

19 The accounting and financial records
20 are maintained by the Hancock County Finance Department
21 personnel in the finance department, and the ECD's books and
22 records are audited as a component of the County whenever the
23 County's audits are performed.

24 The Mayor's signature appears on all
25 dispersments and checks, as well as, I think the director.

1 Is that correct?

2 The director and the Mayor's
3 signatures appear on all checks.

4 We noticed from looking at the records
5 that the fiscal year ended on June 30, 2006. The audit report
6 indicated that they had a negative change in net assets of
7 \$21,690. And preliminary review of the fiscal year ending
8 June 30th, 2007, indicated that they will probably have a
9 change in net assets of about 44,000.

10 So they've gone from negative to
11 positive in those two years.

12 The main component of that positive
13 gain is the fact that the Board voted and authorized the
14 14 million disbursement, and in June there was a \$72,000
15 payment for operational funding that went to the -- to the
16 ECD.

17 Over the last couple of years, the ECD
18 has requested and collected \$335,000 in grants and equipment
19 reimbursement programs offered by the Board. And they have
20 availed themselves of all services except for some training
21 funds that are available.

22 Hancock County Sheriff's Department
23 operates out of the jail complex and performs the call-taking
24 and dispatch functions of the entire county. And the ECD
25 provides funding for the salaries of the ECD director, one

1 full-time dispatcher, and several part-time dispatchers. And
2 they also provide most of the equipment and associated
3 maintenance for the PSAP. The ECD director performs all the
4 addressing functions, in addition to his role as the director.

5 We -- in our examination of the
6 expenditures and the log sheets that were provided, we did not
7 identify any expenses that have any potential for being
8 reduced, eliminated, or paid by the Board or other agencies at
9 its continued level of operations.

10 Our conclusion is that Hancock County
11 ECD should be able to maintain its current level of operation
12 with a positive change in net assets for 2006/2007 and
13 2007/2008 fiscal years, thus qualifying to be removed from the
14 designation of "financially distressed."

15 This is premised on the assumption
16 that all existing expenditures and funding sources --
17 including the TECB operational funding -- continue at the same
18 level. If any of the ECD's funding sources are removed, we
19 anticipate that Hancock County's future annual financial
20 reports will reflect a negative change in net assets and the
21 ECD will once more meet the criteria of a financially
22 distressed district.

23 MS. QUESTELL: So, I would venture to
24 say there's a light at the end of the tunnel.

25 MR. BARNES: Hopefully. Correct.

1 CHAIR PORTER: Did either one of you
2 want to say anything?

3 MAYOR MARION: I do want to comment
4 that thanks to your help -- Hancock County is Tennessee's
5 poorest county. It's the seventh poorest county in the
6 nation. 82 percent of our kids receive free and reduced
7 lunches. Our sheriff pays for a jail by housing state
8 prisoners and our EMS contracts. We don't give a penny to
9 our highway department. And if it weren't for this board,
10 we would not be able to continue this function.

11 And I do want to thank you for those
12 opportunities to continue to operate a quality service. It
13 has very good stewardship of the funds, but when your penny
14 generates less than \$8,000, and as you look across the
15 state -- you know, most of the counties that surround us get
16 a quarter of a million dollars for a penny, and we get less
17 than 10,000. It is really difficult to manage those kinds of
18 responsibilities.

19 CHAIR PORTER: Mayor, I've saw you-all
20 come a long way, too, though. And I think you-all have done a
21 great job to bring -- from where you were when I first saw
22 Hancock County and where you are today. You-all have done a
23 great job in managing and use of what little money you do
24 have. So, we congratulate you-all on that and everyone
25 involved in 911.

1 Lynn, did you want to --

2 MS. QUESTELL: I just wanted to kind
3 of remind everybody that, you know, this is a situation there
4 would be money available if you considered consolidating with
5 any of your neighbors. The Board offers funds to assist up to
6 \$300,000 -- or \$100,000 per district if you-all ever
7 considered that. That might be a way you would want to go.

8 You would continue to get each of --
9 you know, all the same grants. You would be allowed to have
10 two grants. You know, you would continue to get the same
11 amount of money. There would be no reduction, plus an
12 additional.

13 CHAIR PORTER: Okay. The request of
14 Staff is that we remove Hancock County --

15 MS. QUESTELL: No. This was just a
16 status report. They're not being removed. We just wanted
17 to --

18 CHAIR PORTER: Okay. I'm sorry. So
19 what are they?

20 MS. QUESTELL: We were just having a
21 status report --

22 CHAIR PORTER: Okay.

23 MS. QUESTELL: -- because they're
24 under the evaluation and supervision of the Board. And we
25 think that's important --

1 CHAIR PORTER: Okay.

2 MS. QUESTELL: -- to keep tabs on how

3 things are going.

4 CHAIR PORTER: We're not really

5 considering status, we're just hearing a report on status on

6 Hancock County.

7 MS. QUESTELL: Yes. Sorry.

8 CHAIR PORTER: That's okay.

9 Any questions or discussion on

10 Hancock?

11 (Pause)

12 CHAIR PORTER: Anybody?

13 (Pause)

14 CHAIR PORTER: Okay. That's okay.

15 All right. Guys, we thank you for

16 coming, and we appreciate the good work you're doing. And

17 hopefully you'll continue and we'll be able to remove you as

18 a financially distressed district.

19 MAYOR MARION: If any additional funds

20 were to come around, just remember who your poorest county is.

21 (Laughter)

22 CHAIR PORTER: The next item on the

23 agenda is to consider status of the development of GIS mapping

24 system of Bledsoe County. We have a report on that.

25 Who's going to start?

1 MR. HOLLAWAY: I've got a written
2 report. And Patricia Edmonds, the director of Bledsoe County,
3 is here with us. She may have some answers for us also.

4 Larry Billingsley, the chairman of the
5 911 board had some surgery yesterday, so he could not be here.
6 So our thoughts and prayers go out to him.

7 I believe Mike Twitty and Angela
8 Davis, from Sequatchie, are also here. They're working with
9 Bledsoe County on the GIS project at the time.

10 James Wood would also be here -- our
11 OIR GIS person -- he is also recovering from some complicated
12 knee surgery, and he is listening to us on the Internet. So I
13 asked him to text message me if I say anything that was out of
14 order. So, I'm glad to have you with us.

15 As a result of the board meeting back
16 in August, James and I did make a site visit to Bledsoe County
17 on September the 27th, to essentially verify that an agreement
18 that was made at the August meeting had been accomplished.
19 And that agreement was that Task -- what we consider Task 1
20 was accomplished. That is that the GIS system -- although not
21 completely operational -- was at least installed to the point
22 that wireless calls could be plotted on maps to the extent
23 available through the available technology.

24 Certainly, we understand that not all
25 phones are GPS equipped. As a matter of fact, they probably

1 have a lot of phones that are operating in the Bledsoe County
2 area that may need triangulation. With that being such a
3 rural area, there will be a lot of calls that could be
4 triangulated. But even if one call out of 100 could be
5 spotted -- and it was a critical call -- at least -- even if
6 the roads weren't updated and the addresses weren't updated,
7 they would at least be able to have a -- an X/Y coordinate on
8 a map to at least know where the call was coming from and some
9 reference to the location.

10 We determined at our site visit that,
11 in fact, Task 1 had been completed and that they were now
12 ready to move on and begin finalizing what really should have
13 been done some time ago.

14 As you-all know, the district actually
15 received the 50,000 GIS reimbursement several years ago --
16 and we can't blame Larry or Trish, either one for that, they
17 kind of picked up the short terms, I guess, of the prior
18 administration's management.

19 But at any rate, after meeting for two
20 or three hours with Mike Twitty and Mayor Billingsley, we
21 actually were able to come up with a timeline, that you'll see
22 on the second page of your report there. They actually have
23 already started the address resolution project. They're going
24 to do the high density and the high populated areas first.

25 By the second quarter -- and this was

1 pretty tough. I mean, we tried to nail Mike down because
2 he's primarily -- Mike Twitty -- because he's, obviously,
3 responsible for this project.

4 We were finally able to agree on
5 sometime in the second quarter of 2008 that 80 percent of the
6 ALI and GIS data would be accurate for the high density areas,
7 like Pikeville, for example.

8 And then by third quarter of 2008, the
9 ALI and GIS data will be complete -- or well underway for the
10 low density grid areas. As we all know, a GIS project is
11 never complete. So we can never say it's a 100 percent. And
12 that's what we're trying to help them understand, is that
13 we're not looking for a 100-percent perfect system, because
14 that -- you just don't have that. You can't achieve that.

15 At any rate, that's where we are.
16 We're -- we believe that by the end of next year they should
17 have the project well in hand and an operation that's similar
18 to what we expect around the state -- in and around the state.

19 Before I do the slides -- we can go
20 ahead and do the slide because they all play into any
21 questions -- any comments that Patricia might want to make.

22 Mike was wondering if the -- if they
23 could begin receiving the GIS grant based on the fact that
24 Task 1 was complete. James and I are both in agreement that
25 we believe the GIS grant -- \$10,000 grant -- could be

1 reasonable in the fact that they do have a system with all the
2 layers and the various parts of the standard that we have in
3 placement out there. The data, itself, is not up to speed.

4 And I don't even know if in the
5 standard we have a certain percentage level that the data has
6 to be accurate. So if that were the case, then we couldn't.
7 But -- and I don't even know what percentage that data is
8 accurate at this point. I don't know if Patricia would even
9 know.

10 But we're just suggesting for
11 consideration that they might -- that the Board might consider
12 to allow them to move forward with the GIS grant.

13 CHAIR PORTER: Patricia, do you have
14 anything you want to say?

15 MS. EDMONDS: We need more cell phone
16 towers. We can't triangulate at all. We don't plot anywhere.
17 We have to have more than two towers.

18 MR. HOLLAWAY: But you do plot Verizon
19 and GPS systems.

20 CHAIR PORTER: The only ones you're
21 not going to plot are the ones doing triangulation. Which is
22 probably AT&T, one of the few left that is still doing that.
23 Everybody else you're going to GPS.

24 MS. EDMONDS: They go to the cell
25 tower only. On separate mountains.

1 CHAIR PORTER: Then you've got a
2 problem. You need to be getting with your wireless carriers
3 and find out why they're not working.

4 MR. HOLLAWAY: We actually plotted a
5 Verizon call the day we were there.

6 MS. EDMONDS: From town. You can from
7 town --

8 MR. HOLLAWAY: Right.

9 MS. EDMONDS: -- but nowhere else.

10 MR. HOLLAWAY: Okay.

11 But, anyway, the GPS base system
12 should -- should apply to calls. It needs to be checked out.
13 If you can make me aware of those. If it's AT&T Mobility, we
14 can't do much to help that because there's not enough towers.
15 But if it's a Verizon call, it should be plotting within 400
16 feet of where that call is.

17 MS. EDMONDS: We had one today -- Jill
18 called from there, and it's a brand new wireless phone that
19 was on one mountain, and plotted at the cell tower on another
20 mountain.

21 MR. HOLLAWAY: Was it a Verizon phone?

22 MS. EDMONDS: Yes.

23 CHAIR PORTER: Did you repeat it?

24 MS. EDMONDS: Yes.

25 CHAIR PORTER: And it still plotted?

1 MS. EDMONDS: It plotted at the cell
2 tower every time we did it. The phone was two week's old, so
3 it's got to have GPS in it.

4 CHAIR PORTER: We need to be getting
5 with Verizon --

6 MS. EDMONDS: And Mike Twitty was
7 there.

8 CHAIR PORTER: -- and see what the
9 problem is.

10 MS. EDMONDS: -- I was on a phone
11 call --

12 CHAIR PORTER: How about you work with
13 Rex on that and see if we can get that worked out with your
14 carriers. They all should be plotting except for AT&T that
15 can't triangulate.

16 One question I had is, that's in this
17 report, it says there is no single authority for addressing in
18 the county. Do you not do all the addressing? Does 911 not
19 do all the addressing?

20 MS. EDMONDS: Yes, we did.

21 CHAIR PORTER: Okay. So there is,
22 really, one single authority for addressing, right?

23 MR. HOLLAWAY: Well, I think what we
24 meant there is, I don't know that Patricia has the authority
25 to determine if the -- say, Pikeville is going to use the same

1 rationale as another community, that there would be one
2 address every so many feet or that you start at a certain
3 point -- are you doing it exactly the same for every
4 jurisdiction in the county?

5 MS. EDMONDS: We were going on 5.28
6 feet, when we were doing it.

7 MEMBER LOWRY: What do you mean
8 "when"? Are you not doing it anymore?

9 MS. EDMONDS: We don't do it.
10 Sequatchie County does it now.

11 CHAIR PORTER: But they're still -- if
12 somebody needs to do addressing inside the county, they call
13 911, right?

14 MS. EDMONDS: They call me. And I
15 send it on to Sequatchie County.

16 CHAIR PORTER: And nobody else in the
17 county is doing addressing except through that way.

18 MS. EDMONDS: The county road
19 superintendent was giving road names.

20 CHAIR PORTER: Okay. Now, that's
21 different. Road names is not --

22 MS. EDMONDS: He was not assigning
23 addresses. He was naming roads.

24 CHAIR PORTER: Okay. But you are the
25 only one assigning addresses? Sequatchie County is now for

1 you, by a contract. Right?

2 So, there is only one addressing
3 authority in the county then. I thought that didn't sound
4 right.

5 MS. EDMONDS: I guess I should have
6 said naming roads.

7 CHAIR PORTER: Yeah. Did -- we don't
8 need to approve anything here?

9 MS. QUESTELL: No.

10 CHAIR PORTER: Okay. So the Board
11 doesn't need to take any action on that.

12 So this is basically a report back as
13 to the status of the project. They're plotting wireless
14 calls. They have their layers. They're plotting landline
15 calls. Even though the addresses may not be exactly where
16 they're supposed to be, but at least they are plotting calls
17 on both landline and wireless. Right?

18 MR. HOLLAWAY: Right. And James and I
19 will continue to work with them just to make sure that the
20 project is moving in such a pace that we'll be able to meet
21 these I show on page 2.

22 CHAIR PROTER: Any questions?
23 Discussion?

24 (Pause)

25 CHAIR PORTER: We don't need to take

1 any action on this, right?

2 MS. QUESTELL: She has another --

3 MS. EDMONDS: We did put on hold that
4 we couldn't apply for the rest of our 150,000. Now, that we
5 put the mapping in, can we go ahead and apply for the rest of
6 it?

7 MS. QUESTELL: If you meet all the
8 Tier 1 requirements --

9 MS. EDMONDS: It would be under
10 Tier 1. It would be for the mapping.

11 MS. QUESTELL: Yes.

12 MR. HOLLAWAY: But I believe they
13 actually have all the other Tier 1 items anyway. Their UPS
14 and generator --

15 MS. EDMONDS: Yes.

16 CHAIR PORTER: Okay. Any questions?
17 Any more discussion?

18 (Pause)

19 CHAIR PORTER: All right. The next
20 item is to consider status of generator and UPS in Benton
21 County.

22 Rex, are you doing this one?

23 MR. HOLLAWAY: I think that we just
24 have Mr. John Smoot, who is the interim director, that's going
25 to make some comments.

1 CHAIR PORTER: John, you want to come
2 up?

3 MR. SMOOT: I will. But he's our
4 board chairman, also.

5 CHAIR PORTER: That's fine. Bring
6 him, too.

7 (Pause)

8 CHAIR PORTER: If both of you would,
9 state your name for the record.

10 MR. JOHNSON: Gerald Johnson.

11 CHAIR PORTER: What's your position?

12 MR. JOHNSON: I'm chairman.

13 CHAIR PORTER: Chairman of the board.
14 Okay.

15 MR. SMOOT: I'm John Smoot. Right now
16 I'm the interim director of the 911. I'm also the EMA
17 director.

18 MR. HOLLAWAY: And I think you're also
19 treasurer.

20 MR. SMOOT: I'm also the
21 secretary/treasurer for the 911 board. And I'm also the
22 secretary for the Central Dispatch.

23 CHAIR PORTER: Which one of you wants
24 to start?

25 MR. SMOOT: I wear many hats so -- the

1 status of our generator with working, basically, with Rex, and
2 other things, we put in -- to give you just a little
3 background and history -- we put a complete brand new system
4 into the county. We also moved the 911 into the Central
5 Dispatch unit. The history, we thought all parties were going
6 to basically come into Central Dispatch, but due to the
7 election back last year, a couple of parties decided that they
8 didn't want to come into the Central Dispatch.

9 We went about renovating the old
10 health department building and putting both the Central
11 Dispatch and the 911 system together. We completed that,
12 working along with AT&T or SouthBell -- or BellSouth at that
13 time.

14 In the early part of this year, we had
15 an opportunity, basically, to shut the entire building down.
16 There's about four other organizations in that building:
17 mine, the Northwest Transportation, Tennessee Technology, and
18 also the -- part of the Health Department -- along with what
19 we were going to put in to Central Dispatch.

20 We, at that time, had an opportunity
21 to put the power down, in which we went ahead and put a
22 transfer switch in. We completed that first. It was really
23 supposed to be a three-hour job. It was to be a 12-hour job
24 because of the fact that that building was built in 1953 and
25 we had to go in and do a lot of switching around, putting in

1 new plugs, separating some of the power that we wanted to put
2 in Central Dispatch from the main power, at that time.

3 After that we went trying to take care
4 of some other problems putting in a new system. And at this
5 time -- yes, we do have a generator. The generator was
6 installed prior to October the 15th. And we thought we were
7 going to be able to bring it online. But one of the things we
8 had to do -- we went to a gas generator instead of a diesel.

9 In the process of changing to a bigger
10 meter and supplying gas to the heating system throughout the
11 building, we had to put additional regulators in them because
12 of the increase that we were going to have to do to run the
13 larger generator. It's 100 KW generator.

14 And in the process -- we were ready to
15 go last week, and when we turned the gas on we found out that
16 the regulator on the gas company's side was leaking. In the
17 process of doing that, they busted the diaphragm when they put
18 it in.

19 So, we're waiting, right now --
20 hopefully, tomorrow -- I think Gerald has talked with the gas
21 company -- that we will have the gas to start the generator.

22 Now, we're going to have to go into a
23 phase of running that generator to see if everything works
24 correctly. When it does, then they're going to come back in
25 and do a training session with the people that's going to be

1 responsible for overseeing that generator.

2 We, hopefully -- I've got my fingers
3 crossed -- that sometime by the end of November -- what we
4 want to is, we want to go on full power on that generator and
5 cut the electricity off from the main building and basically
6 change out some transformers with the electric company, some
7 wiring that's been in there since 1953 that is supplying
8 electricity.

9 I've talked with the gentleman who is
10 over the utility district, and hopefully by the end of
11 November we'll all be set.

12 The only other thing that we have to
13 do right now is -- in deployment of the new equipment, we did
14 not put in a full hour UPS backup. I think, in talking with
15 the gentleman we work with, with BellSouth, we're either 15 or
16 20 minutes backup right now. That's one of the reasons we're
17 pressing to get this generator in.

18 From that, one of the things I have
19 been in touch with him -- received a quote from him on what
20 it's going to cost to put in the higher backup battery. But
21 we also kind of want to look at what Henry County did. And
22 one of the things -- I have talked with Mark, who is present
23 here, about coming over -- finding time to come over and take
24 a look at what he's got.

25 We will probably bring this before the

1 Board, and at the -- the fourth Monday, in November, when we
2 have our board meeting, with a quote and with a proposal and
3 take a look at what this other is and decide from there. But
4 we are, basically, working on this. It's something that we're
5 not neglecting.

6 But I have to also look at -- because
7 we have batteries to back up the other main radios that we
8 would use. And, I know, too, we had a little problem with the
9 tower that we wanted to use in all this process. I wanted an
10 80-foot tower, but the County -- the City restricted me to a
11 60-foot tower. And, so, we're going back again. We've
12 changed administrations, and we're going back again to add the
13 additional 20 foot on our tower.

14 So, with that, that's where we stand
15 right now on the generator. Hopefully everything will be
16 completed by and up and going before the end of November.

17 MS. QUESTELL: I really appreciate you
18 coming in and explaining the progress that you're making, very
19 much.

20 As I understand it, you are -- the EMA
21 director and the treasurer of the 911 board --

22 MR. SMOOT: That's correct.

23 MS. QUESTELL: -- and the director,
24 and that you're just volunteering your time --

25 MR. SMOOT: They get me free of

1 charge.

2 MS. QUESTELL: Well, I just want to
3 thank you for that.

4 Thank you very much for your
5 volunteering.

6 MR. SMOOT: We were caught, rather
7 suddenly, by our former director giving us a time that he was
8 retiring -- the 17th of July he told us. And then he wanted
9 to go out on the 20th, but I wouldn't let him until the 31st
10 because I had to find out about some of the paperwork that he
11 doing.

12 But I have been in touch with some of
13 the people, like Jim and Rex, and I think the gentleman here
14 was the accountant who has been down discussing with us. And
15 to give you -- do you want us to give you an update on that?

16 The update on our audit, I think that
17 Jim and I have been working on, along with the State, the
18 accountant called me this morning. We have the two years that
19 are back due. He has a draft copy. We will take a look at
20 that. I have gone back and renumbered all of the accounts to
21 where he has that. And we should be caught up.

22 He's also presently has our paperwork
23 right now to finish our '06/'07 audit.

24 But that's where we stand. We'll be
25 in compliance with everything.

1 MS. QUESTELL: You-all are one of the
2 districts that has that \$150,000 --

3 MR. SMOOT: Yes, we knew that. We
4 know that. Yeah. I've been with Jim. Jim has been giving me
5 some advice, along with Rex.

6 MS. QUESTELL: Okay. If you need some
7 help, you let us know.

8 CHAIR PORTER: Will you make sure that
9 you notify Lynn about the generator and UPS status --

10 MR. SMOOT: Yeah.

11 CHAIR PORTER: -- and make sure that
12 before our next board meeting all of that has been done. Then
13 just let her know, and then that way we won't -- wouldn't have
14 to have you back and we can put that to rest.

15 MR. JOHNSON: I might add one thing.

16 CHAIR PORTER: Okay.

17 MR. JOHNSON: It is a natural gas
18 unit. He said gas unit, but it is natural gas. So we're
19 waiting on the West Tennessee Public Utility to get this part
20 in. They thought it might be in yesterday -- UPS 2:00.
21 Hopefully it will be in today. Maybe tomorrow. You know, we
22 really don't know.

23 CHAIR PORTER: Okay. Just keep us
24 updated.

25 Rex, do you have something?

1 MR. HOLLAWAY: Just for the record.
2 This might be a good place to just go on record and say that
3 for those PSAPs that have what they think is a one-hour UPS,
4 what I'm finding sometimes is that they have a one-hour UPS
5 that's in the back room that runs the back-room equipment, but
6 they've only got the 15-minute UPS on the floor driving the
7 work stations. And if you put those two together, you still
8 only have 15-minute backup. Just because the server is
9 working doesn't mean the dispatcher can take calls.

10 I'm not suggesting this is their case.
11 But I'm just saying that's what I find sometimes.

12 CHAIR PORTER: Okay. Anybody have any
13 questions of Benton County?

14 (Pause)

15 CHAIR PORTER: All right. We'll take
16 about a ten-minute break and then we'll come back and do the
17 Knox and Fayette Counties' rate increases.

18 (Break in the proceedings.)

19 CHAIR PORTER: Okay. We'll call the
20 meeting back to order.

21 The next item on the agenda is to
22 consider the request by Knox County ECD for an increase to
23 their 911 charge.

24 Do we have folks from Knox County?

25 (Pause)

1 CHAIR PORTER: If you would come
2 forward, please.

3 (Pause)

4 CHAIR PORTER: If you-all would have a
5 seat. And then as soon as you're settled, if you would
6 introduce yourself for the court reporter and we'll get
7 started.

8 MR. COKER: My name is Bob Coker. I'm
9 the director of the Knox County Emergency Communications
10 Board. And with me I have Mr. Nathan Rothchild. He's the
11 chairman of our board.

12 CHAIR PORTER: All right. We kind of
13 have a process that we go through on these rate increase
14 request. And we'll start off with the Staff reviewing and
15 giving us their recommendation. And then we'll allow you
16 folks to make any statements that you would like to make.
17 And then after that the Board -- we'll open it up for
18 questions of you. And then after that, the Board will go
19 into its deliberations on the rate increase request.

20 Who's going to be first? Rex?

21 MR. HOLLAWAY: As usual, I have the
22 smaller part of the report. I'll give kind of a general
23 overview of the PSAP operation itself.

24 I did make a visit on August the 1st
25 of this year and met with Director Bob Coker and the Technical

1 Services Director Allan Bull.

2 The PSAP is a standalone facility that
3 houses five call-taking and dispatching function for all the
4 911 calls that come into Knox County. The calls are initially
5 answered by a single group of call-takers. They are then
6 entered into a CAD system, and the individual calls are
7 dispatched either by the sheriff, the Knoxville Police, the
8 Knoxville Fire, Rural Metro, and other -- and all the
9 volunteer fire agencies within the county. EMS calls are
10 transferred to Rural Metro Dispatch, who is also within the
11 facility.

12 Although they are a separate work
13 group of dispatchers apart from the call-takers, they do share
14 a common work space that certainly enables collaboration
15 between the various agencies there.

16 In your report you'll see some photos
17 of the outside of the building, as well as the interior of the
18 building.

19 I might add that the call-takers also
20 answer and process all published non-emergency lines for
21 Knoxville Police, Knox County Sheriff, including the animal
22 control.

23 The facility is immaculate. The
24 facility, it also houses a training facility -- a training
25 academy for all the new employees to be trained in their jobs

1 as call-takers and dispatchers. Obviously, pretty beneficial
2 for an operation that employs over 100 call-takers and
3 management personnel.

4 The systems they employ are a
5 CML ECS-1000 controller. They use the Motorola Printrak GIS
6 mapping system. Also, they use Motorola CAD. They have a
7 PowerWare UPS unit and two Caterpillar 700 KHVA generators,
8 which you can see there in the photos.

9 A very large UPS. I didn't note it on
10 here, but I think that pretty much would run everything in the
11 building.

12 MR. COCKER: Yes, sir.

13 MR. HOLLAWAY: They have a nice
14 brand -- a nice digital logging recorder, and Motorola Gold
15 Elite radio equipment consoles.

16 And that ought to pretty well cover
17 it.

18 MR. McLEOD: Okay. Dealing with the
19 financial information here on Knox County, the current rate
20 for Knox County is 65 cents on residential and \$2 for
21 commercial.

22 Table 1 gives a little summary of
23 Table 4, taken off the highlight -- change in net assets,
24 net assets, and also cash equivalent at the end of each
25 year -- historical. That's historical information. And at

1 the end of 2006, Knox -- according to our records -- has
2 \$5,032,449 in cash and equivalents.

3 Table 2 shows a breakdown of the
4 landline revenue. Knox, at the end of the 2000 Census had
5 382,032 residents, then.

6 Table 2 shows the per capita revenue
7 per -- for the county.

8 In Table 3, it just gives you the
9 landlines and the providers count for residential and
10 business.

11 Table 4, as I said, is summarizing
12 Table 1. So, if you look at Table 4 you see highlighting the
13 major assets there.

14 Historically, reviewing the last
15 three years' audits -- and, of course, in 2007, he wasn't
16 finished -- but unaudited -- so it's not yet official. They
17 had no audit findings, according to our records. And that is
18 commendable, that aspect of it.

19 Looking at Table 5, which is the
20 five-year projections submitted by the county -- by the ECD --
21 the information there, it's submitted on the back -- it's
22 attached -- you can pretty much take a look at it. And what
23 we'll do -- what we do with the five-year projection, I
24 really don't modify that at all; it is as they submit it.
25 The modification of the TECB analysis comes from Table 6, when

1 we go in and make different changes.

2 Table 6 contains the Staff analysis of
3 Knox County's financial -- both historical and projected
4 numbers. For the year 2011, the District plans to spend
5 \$3 million capital acquisition of new equipment. And that was
6 according to their five-year plan.

7 Table 6 also shows that the "User
8 Service Fees" revenue projected for 20 -- 2008 through 2011
9 were calculated using the most recent subscribers reported by
10 the ECD at the time of the application. And what happens for
11 the 2008 year -- we had to use two different rates: six
12 months at the old rate, and then six months at a projected new
13 rate -- if approved by the Board.

14 This is a little unique situation
15 where in 2007 we had the unaudited numbers for Knox County.
16 So those numbers were used as a first year five-year
17 projection. Because I couldn't officially use those numbers
18 as audited, but they were used as a first year as a
19 projection. So therefore, as of 2008, we're looking at the
20 projected numbers.

21 Table 6 also shows that as of 2011
22 the total net assets of Knox County is projected to be
23 11,671,728. And then balance -- cash balance for the same
24 period is 13,621,234. And this seems like quite a bit of
25 money, but it's because I used the 2007 year as first year

1 projection.

2 In 2012 the District plans to spend
3 \$14 million on capital acquisitions. Now, I can, at the next
4 board meeting, supply the details about the projection so it
5 doesn't look that frightening here -- the way the numbers are
6 projected. The Board can make a recommendation to that
7 effect.

8 Also what happens, the Board, looking
9 at these numbers you say, okay, after they spend the
10 \$14 million, what happened to the rest of the money on the
11 following years? Then the Board also has the authority
12 whether to extend that rate at the current rate. So, the
13 Board does have power to reduce the rate back. It depends on
14 what is showing on the ECD's financial records. So that might
15 bring a little bit of comfort in terms of what we're looking
16 at here today.

17 Just one highlight on the interlocal
18 agreement, as I go through here, just maybe the second to the
19 last item in the interlocal agreement -- is that all repairs,
20 maintenance, operational, and supply costs for hardware,
21 software, and equipment devoted to the shared use among the
22 parties through the CAD, radio, and dispatch system shall be
23 borne by the respective parties on the basis of each agency's
24 use.

25 If we go back to Table 6, we saw that

1 through the interlocal agreement Knox County is projected to
2 have a steady increase in terms of funds through the
3 interlocal agreement because of the arrangement that they have
4 here.

5 Any questions?

6 CHAIR PORTER: Okay. Do the board
7 members have any questions of Rex or Robert?

8 MEMBER BILBREY: Robert, you're
9 talking about the 14 -- the new equipment, that the
10 \$14 million, that you have a detail and all that. Do you have
11 that detail, or do they have the detail, or what?

12 MR. McLEOD: I think -- if I remember
13 correctly it was sent initially. I should have a copy of it,
14 if it is not updated. What I could do is get -- if any number
15 has changed, I could supply that to that board at the next
16 meeting, as a detail, so we know exactly --

17 MEMBER BILBREY: At this point,
18 though, we're really not dealing with a budget that you're
19 showing. We're not dealing with the 14 million --

20 MR. McLEOD: No. No, we're not
21 dealing --

22 MEMBER BILBREY: It's like it's not
23 even here. It's not even there. They didn't bring anything.
24 They didn't project it. We're not dealing with that year.

25 MR. McLEOD: Right. We're not dealing

1 with that year as far as this analysis is concerned.

2 MEMBER BILBREY: What we see down
3 there is still a nervous situation. As far as that cash --
4 the amount of cash is concerned. You show it as thirteen/six,
5 I think?

6 MR. McLEOD: Right. Thirteen/six.
7 And as I said before, the Board -- at
8 the end of three years, the Board will again review a rate
9 extension. So based on what we look at and see in the
10 financial aspect of Knox County, the Board can decide whether
11 or not to reduce the rates or continue at the current rate.

12 MEMBER BILBREY: At that point -- I
13 forget what we ask for. The Board would need a projection for
14 another five years --

15 MR. McLEOD: Right.

16 MEMBER BILBREY: -- to see what
17 they're going to do. Whether it would be three years or five
18 years, that would give us some indication. Things can change
19 over five years. Things can change over three years or two
20 years. If you have that much money there that you're
21 accumulating --

22 MR. McLEOD: You see what happens,
23 three years from the -- three years from the approval they
24 will come again with a rate extension. By that time we will
25 have gotten more information about how that \$14 million is

1 going to be exacted out.

2 MEMBER BILBREY: At that point in time
3 you probably want another five-year projection --

4 MR. McLEOD:: Right. Between two --
5 which will include that 14 million.

6 MS. REED: Under Policy 14, after
7 three years they present a report to us. Then it would have a
8 three-year projection -- three-year projection.

9 CHAIR PORTER: That report -- let's
10 see, 2007 -- 2010. They come -- they report back to us with a
11 projection out to 2013. So, we'd be able see where the 14-
12 was going.

13 MEMBER BILBREY: The interesting
14 thing, then we would be able to see what happens after that
15 point --

16 CHAIR PORTER: -- which is the
17 concern.

18 MEMBER BILBREY: The concern is what
19 we're wanting to do. The 14 million, what is that? What's
20 going to be done after --

21 CHAIR PORTER: Other questions of
22 Robert?

23 (Pause)

24 CHAIR PORTER: Robert, you -- if
25 nobody else has any, I have a couple.

1 If -- you said that you had unaudited
2 numbers for the budget for 2007. Would you read me what the
3 "User Service Fees" were for the end of 2007 for that year. Do
4 you have that with you?

5 MR. McLEOD: That would be the first
6 year off the projected period, which is 2007. That is
7 unaudited numbers.

8 CHAIR PORTER: So that \$2,609,692 was
9 the actual user fees for --

10 MR. McLEOD: Right.

11 CHAIR PORTER: I can't make that
12 match. I guess that's -- if you use the District's numbers
13 that they gave for the number of subscribers -- which I think
14 that was 118,813 residential and 78,457 businesses. If you
15 run that out over a period of 12 months, that comes up to
16 \$2,809,709. And in their revenue numbers, then, they only
17 collected 2,609,000. Do you have any idea where that \$200,000
18 would be?

19 MR. McLEOD: I'm not looking at the
20 formula right now. I could --

21 CHAIR PORTER: It looks to me like
22 their revenue number in 2007 is light compared to the numbers
23 of subscribers that they're saying that the district had.

24 I can ask that later of them.

25 The other question I had was, there

1 doesn't -- CLEX and VoIP revenue, from those carriers, where
2 is that shown at in the budget? The only thing in user
3 service fees -- from what I saw -- had was the AT&T/BellSouth
4 numbers in them. I wonder where that other revenue is. I'm
5 sure they've got CLEX and VoIP providers in Knox County that
6 would be providing revenue. But I didn't see a line item for
7 it.

8 MR. McLEOD: Are the talking about
9 line 2 -- the revenue for ECD?

10 CHAIR PORTER: No. I'm talking
11 about -- the revenue number -- the user service fees -- let me
12 rephrase the question.

13 Does the user service fees --
14 line 1 -- does that include CLEX and VoIP carriers' revenue
15 also? I never saw anywhere in any of the numbers that stated
16 about CLEX or VoIP carriers, those numbers, as far as user
17 services fees.

18 MR. McLEOD: The VoIP numbers, that
19 would be reported directly to the Board. It would be in
20 line 2.

21 CHAIR PORTER: No --

22 MS. REED: Under the current law, VoIP
23 should come in as non-wireline revenue to us.

24 CHAIR PORTER: Right.

25 MS. REED: It should not go to them,

1 unless it's a hybrid. And then they might pay it on landline.

2 CHAIR PORTER: So the CLEX -- and,

3 Mike, what's your cable company in Knoxville?

4 MR. COKER: ComCast.

5 CHAIR PORTER: Is Comcast -- are they

6 doing their services through VoIP, or are they doing with

7 CLEX.

8 MR. COKER: VoIP.

9 CHAIR PORTER: So what about CLEX? Do
10 you not have CLEX in Knoxville?

11 MR. COKER: I do not know.

12 CHAIR PORTER: None?

13 MR. COKER: I do not know.

14 CHAIR PORTER: Oh, you do not know.

15 Okay. I'm sorry.

16 (Pause)

17 CHAIR PORTER: Could you state your
18 name for the record before you speak, please?

19 MS. WHITE: Kim White.

20 Where it says AT&T and BellSouth, it
21 really should -- we've got 35.

22 CHAIR PORTER: That's what I was
23 thinking.

24 MS. WRIGHT: So, really, it's 35
25 different companies. It's not just AT&T and BellSouth that's

1 in that list of landlines.

2 CHAIR PORTER: So those subscribers --

3 MS. WHITE: Everybody.

4 CHAIR PORTER: Everybody.

5 Could you also speak to the -- if you
6 take those numbers, though, and you multiply them out with the
7 65 cents and \$2, it looks like there's \$200,000 on revenue
8 that's light there. That's what you're showing in the revenue
9 numbers compared to what it should be. Is that --

10 MS. WRIGHT: We had a decrease. The
11 numbers I gave you was back in like February --

12 CHAIR PORTER: March.

13 MS. WHITE: February or March. And so
14 we have lost a bunch of lines.

15 CHAIR PORTER: You lost some numbers
16 before the end of the year?

17 MS. WRIGHT: Yes.

18 CHAIR PORTER: Okay. Other questions
19 of Robert or Rex?

20 (Pause)

21 CHAIR PORTER: Okay. Thanks, guys.

22 Now, the Knox County folks, we'll
23 allow you to make any statements that you'd like to make, and
24 then we'll open it up to the Board if they have any questions
25 of you-all.

1 MR. COKER: Number 1, I want to thank
2 the Staff -- Director Questell and Counselor Reed -- and Rex
3 and Robert, especially, for the help they gave us as we went
4 through this process.

5 Knox County has gone without a rate
6 increase for about 17, 18 years now. It's been put in front
7 of the Board a number of different times. Each time the Board
8 did not see fit to do it with the actions of this board and
9 the redistribution of cell phone tariffs that were coming in.
10 Our board, I think -- I think Director Questell described it
11 as kind of a courageous act on their part of finally stepping
12 up and saying, okay, we're going to do something.

13 The question that Mr. Bilbrey asked
14 about the money that was being spent -- right now our radio
15 systems, our CAD system, telephone systems -- all -- have got
16 about a two-year life span left before they go into nonsupport
17 status. And when you start looking at nonsupport status -- I
18 think you can ask Rex or anybody else that's really familiar
19 with it -- you're talking tremendous maintenance fee
20 increases, et cetera.

21 We've already got working groups with
22 all of our users putting together RFIs -- preparing to put out
23 RFPs -- to address the aging technology that we're working
24 with, to be able to bring that up. Part of this, of course,
25 is conditional on the Next Generation 911, making sure that

1 everything there meets and blends in for the best service that
2 we can provide -- also at the lowest cost.

3 As far as far the money proposition,
4 also, I've been onboard, now, for a couple of years. The
5 first year we were supposed to be a million/three below what
6 we actually came out for. I was able to change some things
7 there, bring us -- thanks to the help of our staff -- bring us
8 in -- actually in the black, where we was supposed to be in
9 the red by a million/three.

10 So when we are looking at this money,
11 and when I sit down and talk with our board and our board
12 discussed it, they have been very, very selective of the
13 monies that have been spent. And they have been very, very
14 selective when it comes down to raising any fees or -- pardon
15 me -- tariffs or spending literally a penny that's not
16 supposed to be spent.

17 So, I think that we have proven that
18 we have been good stewards. This is not a cash cow that we're
19 trying to build up. There is a definite plan of progression
20 in there, and that is all based on addressing our technology
21 needs and also addressing our -- our employees.

22 CHAIR PORTER: Do you have anything
23 you want to say?

24 MR. ROTHCHILD: No, sir.

25 CHAIR PORTER: All right. We'll

1 open it up, then, for questions of the board members of the
2 Knox County folks.

3 MEMBER BILBREY: Let me say one thing.

4 MR. COKER: Yes, sir.

5 MEMBER BILBREY: We are not against
6 you getting what you need.

7 MR. COKER: Oh, I understand.

8 MEMBER BILBREY: We want to work with
9 you. We are going to work with you. But what we see here is
10 the only thing we know. We don't see all this stuff you're
11 telling us here. We need to see that in your projected
12 budget, your projected expenses out there --

13 MR. COKER: Yes, sir. I understand.

14 MEMBER BILBREY: And if you don't
15 know, we want an estimate there. This \$14 million, it's way
16 out there in a year that's not even here that we're dealing
17 with. But if it was here and it was explained as to what it
18 is, and all these RFIs and these signatures and old equipment,
19 and in a couple of years you're going to have an increased
20 maintenance cost and all that -- why don't you show that in
21 your budget, your projection? If you know what it is.

22 MR. COKER: That's just it. We do not
23 know what it is right now.

24 MEMBER BILBREY: Yeah. Okay. But
25 that still would help us.

1 MR. COKER: Yes, sir. I understand
2 that now.

3 MEMBER BILBREY: The way it is now,
4 the only thing we see is that tremendous amount of cash
5 sitting out there. And we have to be careful with what we
6 approve because we're responsible for that. You know.
7 Because we approved it.

8 MR. COKER: If these positions were
9 being reversed, I'd be asking the same questions.

10 MEMBER BILBREY: Right. Right. So
11 you can see, we just need to have a comfort level, I guess.

12 MR. COKER: Yes, sir.

13 CHAIR PORTER: Other questions of
14 Knox County?

15 (Pause)

16 CHAIR PORTER: I have one concern. I
17 think you have a very good local agreement -- interlocal
18 agreement. I looked at it.

19 My concern is -- is that if that money
20 is not spent pretty soon in updating your equipment and
21 everything, and the City and County start seeing that big cash
22 amount sitting there -- that amount sitting there -- then
23 they'll be wanting to start reducing their contributions
24 coming in to 911. And I know in the past, with just about
25 every other rate increase that we've done, is that we've set a

1 stipulation that the City and County would have to keep
2 funding their amount -- at least at what it is today. We're
3 not saying they have to increase it in the future.

4 So, does the District have any
5 problem with that? Do you see that being a problem with them
6 trying to reduce their amounts?

7 MR. COKER: Mr. Chairman, I don't
8 think that is going to be a problem. Both our mayors -- our
9 city mayor and our county mayor sits on this board. Every
10 meeting that we have, their finance directors are there.
11 And this is one of the discussions of -- that has been brought
12 out.

13 And one of the things that I -- and I
14 warned everybody about -- the thing that -- I know we talked
15 to Director Questell about it, and also Counselor Reed. And
16 they said, "Do you think that needs to be revised?"

17 The reason that we don't think it
18 needs to be revised -- and this is after talking with our
19 legal counsel -- is that it's pretty well stated. It is some
20 blank line numbers in there that we're talking about 60/40
21 splits on service, et cetera. And I think it would be a
22 Pandora's box to try to change it.

23 But our mayors have just been straight
24 up and said, "This is the agreement we're in. This is what
25 we're operating on. And we are going to support you."

1 CHAIR PORTER: Other questions?

2 MEMBER BILBREY: But we would still,
3 like you said, enter a stipulation --

4 CHAIR PORTER: Right.

5 MEMBER BILBREY: -- and if they did do
6 anything, then we would go back and revisit the issue again.

7 MR. COKER: I would hope that you
8 would. Yes, sir.

9 MEMBER BILBREY: And I don't want to
10 do all the talking here, but --

11 CHAIR PORTER: No, go ahead.

12 MEMBER BILBREY: On this -- going back
13 to this 14 million, and the stuff that you have mentioned --
14 or the things that you have mentioned that's not in here.
15 Now, is it possible that you can come up with all that
16 detailed information and everything that we would need to
17 have -- a comfort level that we need to have before we approve
18 this, by our next board meeting?

19 MR. COKER: I think in the actual rate
20 increase application itself, it pretty well describes every
21 piece of equipment, everything that's going out, timetables
22 going into it, how that's going to be put together.

23 MEMBER BILBREY: The 14 million for
24 later on --

25 MR. COKER: Yes, sir. It explains it

1 in there. It even gives the details of what we project that
2 that's going to cost.

3 MEMBER BILBREY: What the equipment
4 is, et cetera?

5 MR. COKER: Yes, sir. It does.

6 MEMBER BILBREY: I didn't see any of
7 that.

8 CHAIR PORTER: Let's make sure --

9 (Pause)

10 CHAIR PORTER: Item number 17, is that
11 it?

12 MR. COKER: 17 -- under the
13 justification on 7.

14 CHAIR PORTER: On 7(a)?

15 MR. COKER: Yes, sir.

16 (Pause)

17 MS. QUESTELL: If you look at 7(c), it
18 has how the additional revenue will be used.

19 CHAIR PORTER: It's not in a table,
20 Charles. It's just -- it's in paragraphs.

21 Starting with 7(a), go down to the
22 justification of the rate increase request. When you get
23 down over into 7 -- 7(c) -- it starts talking about the
24 technology and --

25 (Pause)

1 CHAIR PORTER: I'm looking for -- I'm
2 looking for the pieces of equipment. Like you say you're
3 going to need to replace your CAD system --

4 MR. COKER: 7(d), Chairman. It talks
5 about the CAD, the telephone system, et cetera.

6 CHAIR PORTER: Okay. That's CAD and
7 telephone.

8 MR. COKER: Yes, sir.

9 CHAIR PORTER: That would be 4- of the
10 14 million.

11 MR. COKER: Yes, sir.

12 CHAIR PORTER: What about the other
13 10 million?

14 MR. COKER: We're talking about radio
15 systems. We're talking about bringing the support -- as far
16 the administrative support outside the CAD system -- bringing
17 that technology up. Again, part of it's going to be tied into
18 the -- to the Next Gen. We're setting -- and the staff here
19 has been good about trying to make sure everybody knew where
20 we stood on that, to make sure that we tied everything in.
21 The radio system, itself, is tied into that. The radio system
22 itself goes out in -- out of support, I think it is in 2011.

23 So, all of these are -- they are
24 literally backed up -- just back to back to back -- when we're
25 talking about the support and maintenance.

1 CHAIR PORTER: All right. As far as
2 numbers go, we've got the CAD and the telephone, but the other
3 stuff that is coming up, like the radio system and everything,
4 you guys don't have numbers on those yet. Is that right?

5 MR. COKER: No, sir. We don't. We've
6 got only just talking to some vendors in generalities. And
7 one thing for this board's knowledge is that we're trying to
8 work regionally with five other counties right now in a
9 project that's already gone to Washington, and we've talked to
10 the legislators there. And if that's going to influence by
11 bringing our cost down -- if we see that that's going to bring
12 our costs down by having that regional cooperation on the
13 system, then that could make a big difference in the numbers
14 also.

15 So it's not like we're trying to go
16 out and build it all by ourself. We're working with everybody
17 we can.

18 MS. QUESTELL: Do you think the full
19 10 million will be taken up with the radio system, then?

20 MR. COKER: Yes, ma'am. When you
21 start looking at -- and I'm sure everybody knows -- just your
22 vision for, like, the Next Gen 911, radio systems are not just
23 radio systems. And when we start giving data flow, when you
24 start giving the responders in the field the information that
25 they have to have for them to be able to get information back,

1 we're not talking about the old push and talk. It's a big
2 change out there.

3 CHAIR PORTER: You're looking at your
4 entire 800 megahertz system having to be replaced --

5 MR. COKER: Yes, sir.

6 CHAIR PORTER: -- somewhere between
7 now and 2011?

8 MR. COKER: Yes, sir. In fact,
9 we're buying parts for part of it right now, and having a
10 long storage. Because those parts -- as of the 31st of this
11 year -- are no longer available. So we're literally having to
12 buy very expensive pieces of equipment and -- and set it on
13 the shelf.

14 MR. HOLLAWAY: Would that be equipment
15 in the facility itself and the external equipment, the
16 towers --

17 MR. COKER: Yes, sir.

18 MEMBER LOWRY: You're talking 30 or
19 40 million to replace the 800 system, or more.

20 MR. COKER: It's going to be
21 expensive. Yes, sir.

22 CHAIR PORTER: Other questions of the
23 Knox folks?

24 MEMBER BILBREY: Those are the only
25 numbers we have?

1 CHAIR PORTER: If he's going to
2 replace in 2011, by the time they come back for their rate
3 increase extension -- you-all should have firm numbers on what
4 those costs are going to be?

5 MR. COKER: Yes, sir, we should.

6 CHAIR PORTER: -- including some of
7 your Federal funding to help you --

8 MR. COKER: Absolutely.

9 MEMBER BILBREY: We need to see those
10 numbers. If we approve this -- see, we've still got to
11 approve this. If we approve this, we want something -- some
12 basis there that we can say we accept it at the next board
13 meeting and amend this, that these are the numbers. I'm not
14 comfortable not knowing still -- like I said -- he said the
15 same thing: There's a lot things that can happen.

16 CHAIR PORTER: Will you be able to
17 have those numbers, though, by the next board meeting in
18 January? Do you have some estimates as to what that stuff
19 will be?

20 MR. COKER: I can give you estimates
21 from vendors. Because we have talked to two or three major
22 vendors helping us to set project deadlines and to bring in
23 general information. But again, what we're talking about,
24 Director -- or Chairman, as you know, I think in the next two
25 years you're going to see such radical changes in both demand

1 by users on that information flow to and from the centers that
2 you cannot pick a radio system right now that you're going to
3 be buying four -- four and a half, five years from now.

4 And I can give you the cost of what a
5 standard 800 is going to cost within just a very small margin
6 right now, but I don't think that's going to be covering
7 everything that we're going to be talking about that's going
8 to be in demand by that time.

9 Because when you look at our system,
10 you know, we're talking 650-, \$700,000. And we're talking
11 about supporting not just our county, but we're in a regional
12 hub. And we already have took the initiative for Loudon
13 County, Anderson County, Blount, Sevier, et cetera -- to set
14 up some regional communications.

15 Being the regional medical center, you
16 know, we're tagged in so that we're able to operate with
17 ambulances coming in from Claiborne County, from Middlesboro,
18 Kentucky, and everything else. So they all come to Knoxville.

19 So, can I give you exactly what we're
20 going to be looking at when we actually go out and purchase?
21 No, sir, I can't. I can give you standard costs right now.
22 But I cannot tell you what that product is going to look like.

23 MEMBER BILBREY: There is some sort of
24 estimate, though, projection --

25 MR. COKER: Yes, sir.

1 MEMBER BILBREY: -- tied to something.

2 CHAIR PORTER: I think what he's
3 wanting is just a spreadsheet and estimate that's going to
4 list all the things that you've got to replace and an
5 estimated cost of what it's going to be.

6 MR. COKER: That's no a problem
7 because we've sat down and gone through -- both with Tyco --
8 we've gone through it with -- and Motorola.

9 But again, you know, when you start
10 talking retail, it's a big change.

11 MEMBER BILBREY: And roughly the
12 schedule that's going to be involved.

13 MR. COKER: Yes, sir.

14 MEMBER BILBREY: Whether it's '12,
15 '11, or '10, or whatever.

16 CHAIR PORTER: Other questions of the
17 Knox folks?

18 MEMBER SMITH: Quick question,
19 Mr. Chairman.

20 CHAIR PORTER: Go ahead.

21 MEMBER SMITH: I heard Mr. Coker
22 mention -- a couple of times -- regional cooperation. And
23 that's always a good approach. And I just want to be certain
24 in my mind that with regard to these future improvements or
25 replacements, I assume that the work that is going on with the

1 Homeland Security side communications and your district -- the
2 public safety and wireless interoperability grant that is on
3 the horizon, that that is a part of this mix as an additional
4 potential monetary resource to accomplish some of these things
5 that you're talking about doing in the next few years when you
6 reach that point to replace that. Would that be a fair
7 assumption?

8 MR. COKER: It is more than a fair
9 assumption; it's an absolute definition. Our Homeland
10 Security money right now helps tie the other counties into the
11 800 system. That was on vote of the other council for the
12 prior district -- the grant monies and so on, that's becoming
13 available.

14 We're looking at it both individually,
15 and, as you know, all of that is tied to regional cooperation.
16 So, yes, we're looking at grants and also on Homeland
17 Security.

18 MEMBER SMITH: So there exists an
19 effort on Knox County to any of those funds possibly being
20 leveraged with what we're considering --

21 MR. COKER: Yes, sir.

22 MEMBER SMITH: -- today, as an
23 additional asset.

24 MR. COKER: Yes, sir.

25 CHAIR PORTER: Other questions?

1 (Pause)

2 CHAIR PORTER: Okay. Thank you, Jim.

3 What we're now going to is

4 deliberations of the Knox County rate increase request. I

5 think the request is to go to the maximum of \$1.50 residential

6 and \$3 for business. The floor is open for discussion or

7 motion.

8 (Pause)

9 CHAIR PORTER: Don't everybody talk at
10 once.

11 MEMBER LOWRY: I'll make a motion

12 that we grant their rate increase with the stipulation that

13 they provide those figures that Charles has asked for in

14 some type of a chart. I think it ought to be fairly easy to

15 do.

16 CHAIR PORTER: I have a motion. Do I
17 have a second?

18 MEMBER COBB: I second.

19 CHAIR PORTER: A motion by Mr. Lowry,
20 and a second by Ms. Cobb, that we approve the Knox County rate
21 increase request contingent upon the district providing the
22 numbers or estimates of what they will be spending the extra
23 money for in the future at that next board, which is January
24 the 24th -- have it to us by then.

25 And does your motion also include all

1 the stipulations that we include on everybody else as far as
2 when you have to come back for review and that the local
3 entities -- the government entities that are funding, make
4 sure those are stipulated in the record?

5 MEMBER LOWRY: Yes.

6 CHAIR PORTER: Is that okay with the
7 second?

8 MEMBER COBB: Yes.

9 CHAIR PORTER: Discussion?

10 (Pause)

11 MEMBER BILBREY: This will be repeated
12 in three years?

13 CHAIR PORTER: It would be 2010?

14 MS. REED: Under the policy what they
15 would do is present a report to Staff, and Staff would analyze
16 it and make sure it's in keeping with the typical requirements
17 that you-all have for rate increases. And if there were any
18 red flags at all, Staff would present it to you-all at that
19 meeting; otherwise, Staff would tell the ECD that everything
20 looked -- appeared to be in order. But the report includes
21 the three-year projection.

22 CHAIR PORTER: Any other discussion?

23 (Pause)

24 CHAIR PORTER: Hearing none, all in
25 favor of the motion say "aye."

1 THE BOARD: Aye.

2 CHAIR PORTER: All opposed, like sign?

3 (Pause)

4 CHAIR PORTER: Motion carried.

5 Thank you, gentlemen.

6 MR. COKER: Can we clarify what we've
7 just done?

8 CHAIR PORTER: Approved the rate
9 increase up to the max of \$1.50 and \$3, contingent upon --
10 the only thing we need back from you is -- is that list of
11 expenditures and estimates of what you're going to expend --

12 MR. COKER: I'll have it to your staff
13 in two weeks.

14 CHAIR PORTER: That will be fine.

15 And that all the -- all the same
16 stipulations go on your rate increase request that we put on
17 everybody else's, which is -- Lynn can provide you a list of
18 those. But the two primary ones are -- is that in three years
19 it will come up for review and you'll have to work with Staff
20 on providing them new updates -- new three-year projections,
21 and so forth -- and that your county and city governments and
22 municipalities who are putting money in, that they cannot
23 reduce their levels less than what they are right now in the
24 future.

25 MR. COKER: If they do that, I'll be

1 down here asking you-all for help.

2 CHAIR PORTER: Okay. Thank you.

3 Appreciate you coming.

4 The next item on the agenda is to
5 consider a request for Fayette County ECD for an increase to
6 their emergency telephone service charge. Let the record show
7 that Ms. Mason is the director of Fayette County and she will
8 be recusing herself from the board and will be sitting in as
9 the director of Fayette County.

10 Will both of you state your name for
11 the record, please?

12 MS. MASON: Carolann Mason, director
13 of Fayette County 911.

14 MS. DOYLE: Connie Joy Doyle, and I'm
15 the Chair of 911.

16 CHAIR PORTER: Thank you. Appreciate
17 you coming.

18 Rex?

19 MR. HOLLAWAY: Okay. I visited the
20 ECD and their PSAP on September the 28th. They do have a
21 single PSAP for Fayette County. It's operated by the
22 Sheriff's Department, but the ECD office shares the space and
23 it provides all the addressing and all the other ECD functions
24 out of that office.

25 We also visited the new PSAP, which

1 will, again, be part of the Sheriff's Department, and be
2 located in the new County Justice Complex. And they should
3 be moving into it either late December or early January. At
4 least that was the timeline when I did the report.

5 They currently do all the call
6 taking -- the dispatching for all calls in Fayette County,
7 including eight municipalities throughout the county. Again,
8 as I mentioned, they don't manage the operation of the PSAP,
9 but they do fund a lot of the equipment: the 911 controller,
10 the generator, and many other items that you see districts
11 funding. They also make the annual impact payment to offset
12 dispatcher costs.

13 Fayette County is a fairly rapidly
14 growing community, and they are going to see -- very
15 quickly -- the need for another dispatcher position as they
16 move into that new facility.

17 The report shows you the existing
18 facility, as well as -- and the positions they're in. Plus
19 the structure of the new justice center.

20 They intend to keep the existing PSAP
21 as a backup location, once they move, and also use it as the
22 County's EOC.

23 The new facility will have a much
24 higher level of security and reliability and certainly a
25 lot more back-room space for the equipment to run the

1 dispatch center.

2 And I mentioned, they're going to
3 move -- they're going to grow to three positions when they
4 move. I might add that the employees of the ECD include the
5 director and an addressing associate -- an administrative
6 assistant who does addressing and other functions for the
7 district.

8 They have a Positron Lifeline system
9 which will be replaced with a Positron Viper at the new
10 location. They use GeoConex for the GIS mapping. And they
11 hope to purchase a CAD as part of their rate increase once
12 they move to the new facility.

13 You can tell by the photo on page 4,
14 they have an extremely large generator. It's -- normally a
15 generator -- I think that's mis-type on the generator. That's
16 certainly larger, Randy -- as you would guess, that's larger
17 than a 5.4 KW generator. Much larger than that.

18 It's a Cummins diesel. And it will
19 provide power to the entire complex. And they have a Liebert
20 and UPS to maintain the operations of the PSAP.

21 I believe they are going to continue
22 to use a Nice Replay digital recorder and a Zetron Model 4010
23 radio console.

24 MR. McLEOD: On the financial
25 information, Table 1 summarizes the district's change in net

1 assets, net asset balance, and cash balances. Again, this is
2 information from 2006 to -- 2004 through 2006.

3 Table 2 also reflects, based on the
4 2000 Census, a population of 28,806, what their landline per
5 capita revenue looks like.

6 Table 3 -- Table 4 is summarized, also
7 in Table 1, which is hitting the high points in terms of
8 change in assets -- net assets and equivalent cash.

9 Historically over the past three
10 years -- 2004 through 2006 -- they have had no audit findings
11 on record for the ECD. Again, this is commendable for the
12 ECD.

13 Table 5, which is the projection --
14 five-year projection of the ECD, just to highlight that, the
15 ECD spends -- plans to spend a little over a half a million
16 dollars on capital acquisitions over the five-year period,
17 which includes the acquisition of the new people for the
18 911 center.

19 Table 6 is a historical analysis and
20 also the projection for the ECD. As a highlight, in 2011, the
21 ending net assets for the ECD is projected to be \$1.1 million
22 with cash for the same year to be \$618,000-plus. Also, it is
23 to have a positive change in net assets and cash flow for the
24 period 2007 through 2011.

25 Under the interlocal agreement, there

1 was one thing that I kind of discussed with the director. If
2 you look at the second item there, relative to the \$30,000
3 Rural Dispatcher's Grant -- I'm not sure how she's going work
4 this out. But it was decided that -- based on the interlocal
5 agreement that upon receipt of this money they be able to give
6 it back to the County. So, a very short interlocal agreement.
7 Not sure if anything needs to be added the next time around,
8 but --

9 (Pause)

10 MR. McLEOD: Any questions?

11 CHAIR PORTER: Any questions of Robert
12 or Rex?

13 (Pause)

14 MR. HOLLAWAY: I just want to make my
15 correction. 5.4 is what they have today.

16 CHAIR PORTER: The old one is the 5.4.
17 The new one looks like it is considerably bigger.

18 MR. HOLLAWAY: The new one is so big
19 we couldn't calculate it.

20 CHAIR PORTER: Okay. Hearing no
21 questions, then, Ms. Mason, we'll let you make a statement.
22 Is there anything you would like to say to the Board?

23 MS. MASON: Only that -- well, Rex has
24 seen everything that we've got. We're just trying to move
25 forward with the new technology, and it's going to take a lot

1 of extra money to do that.

2 The dispatch has never had a CAD, and
3 I think that's very important that we step up to that next.
4 And that the 911 Lifeline that we're working on is 15 years
5 old, and that we just keep our toes and fingers that it
6 survives.

7 We have an installed date for our 911
8 complex of December 5th.

9 CHAIR PORTER: That should be a nice
10 complex.

11 Ma'am, would you like to say anything?

12 MS. DOYLE: No. I just appreciate you
13 considering the increase.

14 CHAIR PORTER: Questions of the
15 Fayette County folks from the Board?

16 MEMBER BILBREY: Just one thing. What
17 Robert just said about this \$30,000 -- what is that?

18 MS. MASON: That was the Rural
19 Dispatcher Grant. It is going away now. And if you read the
20 agreement, it does state that this grant is only to be paid
21 over -- upon receipt of the Board. So the County -- the
22 Sheriff's Department realizes that that 30,000 has gone away
23 and they will not be getting that from us anymore. They will
24 get the \$2,000 a month impact fee we pay them to answer our
25 calls.

1 CHAIR PORTER: All the employees are
2 County employees; is that right?

3 MS. MASON: Yes.

4 CHAIR PORTER: Any other questions?

5 (Pause)

6 CHAIR PORTER: Hearing none, thank
7 you.

8 MS. MASON: Thank you.

9 CHAIR PORTER: The Board will now go
10 into its deliberations of the Fayette County's rate increase
11 request. It's a request to raise them to the max of \$1.50 and
12 \$3 on the business. The floor is open for discussion or
13 motion on the request of Fayette County.

14 MEMBER SMITH: Mr. Chairman, based on
15 the Staff's review and recommendation, I move that we approve
16 the rate increase for Fayette County.

17 MEMBER RICH: I second the motion.

18 CHAIR PORTER: I have a motion and a
19 second. A motion by Mr. Smith, a second by Mr. Rich, that we
20 approve the rate increase request for Fayette County -- any
21 discussion?

22 (Pause)

23 CHAIR PORTER: Hearing none, all in
24 favor of the motion say "aye."

25 THE BOARD: Aye.

1 CHAIR PORTER: All opposed, like sign?

2 (Pause)

3 CHAIR PORTER: Motion carried.

4 Thank you.

5 MS. MASON: Thank you.

6 CHAIR PORTER: That concludes our
7 agenda for the meeting today. Is there any other business
8 that needs to come before the Board?

9 (Pause)

10 CHAIR PORTER: I guess we can talk
11 about future meetings, would be one thing. Our next meeting
12 is set for January the 24th, at 9:30.

13 We also have reserved the room -- just
14 in case we need it -- for March the 27th. In case we should
15 have any problems with the legislature or anything going on
16 and we need to have a special called meeting, we have that
17 date reserved. But if nothing is going on, we will not do
18 that date.

19 And then the next meeting after that
20 would be April the 17th.

21 And so, that's our next two scheduled
22 meetings, plus a date reserved just in case we need it, should
23 something be going on in the legislature.

24 Is there any other business that needs
25 to come before the Board?

1 (Pause)

2 CHAIR PORTER: Hearing none, I'll

3 accept a motion to adjourn.

4 MEMBER COBB: I make that motion.

5 CHAIR PORTER: Do I have a second?

6 MEMBER MASON: I second.

7 CHAIR PORTER: All in favor say "aye."

8 THE BOARD: Aye.

9 CHAIR PORTER: All opposed, like sign?

10 (Pause)

11 CHAIR PORTER: The meeting is

12 adjourned.

13 I thank everyone for coming. Have a

14 safe trip home.

15 (End of the proceedings.)

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1 REPORTER'S CERTIFICATE

2 STATE OF TENNESSEE)
3 COUNTY OF SUMNER)

4 I, Denise Harwood-Stacy, court reporter and
5 notary public for the State of Tennessee,
6

7 DO HEREBY CERTIFY that the foregoing
8 transcript of the proceedings were taken on the date and place
9 set forth in the caption thereof; that the proceedings were
10 stenographically reported by me; and the foregoing proceedings
11 constitute a true and correct transcript of said proceedings
12 to the best of my ability.

13 I FURTHER CERTIFY that I am not related to
14 any of the parties named herein, nor their counsel, and have
15 no interest, financial or otherwise, in the outcome of events
16 of this action.

17 IN WITNESS WHEREOF, I have hereunto affixed
18 my official signature and seal of office this the 9th day of
19 January, 2008.

20

21

22 Denise Harwood-Stacy
23 Notary Public, State of Tennessee

24 My Commission Expires: February 23, 2011.

25